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FIRST THINGS

June/July 1992
Number 24

A Monthly Journal of Religion and Public Life

ABORTION

What Americans Really Think About It
James Davison Hunter

The Case for Political Compromise
Christopher Wolfe

Marriage in Counterpoint and Harmony
Gilbert Meilaender

Ludwig Wittgenstein Confesses
Edward T. Oakes

Letter from Jerusalem
Werner J. Dannhauser

Opinions and Reviews: Jerry Z. Muller on Gertrude Himmelfarb
Hindu Nationalism, Indian Democracy • Jerold S. Auerbach
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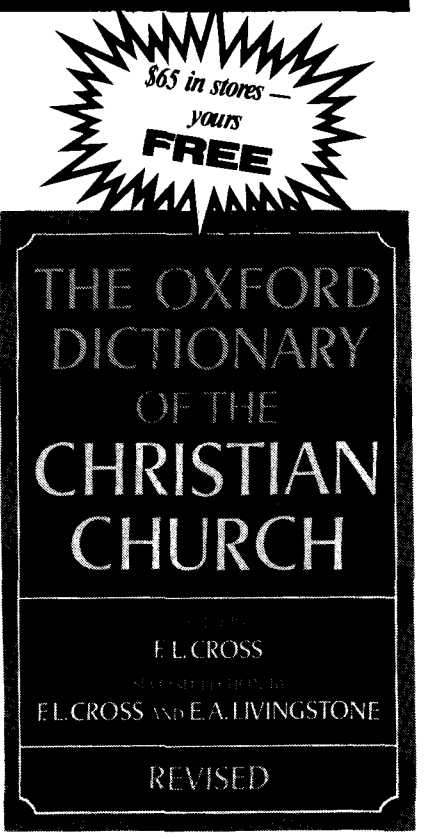

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FIRST THINGS

A Monthly Journal of Religion and Public Life

JUNE/JULY 1992 • NUMBER 24

CORRESPONDENCE 2 *Rifka Black Sandler, Karl E. Brandt, W. Robert Aufill, John Branigan, Tom Blair, Theodore J. Georgian, Michael McGehee, Ernest L. Fraser, Robert Royal, Thomas Brown, Peter Widulski, Henry J. Hyde, Kevin L. Flannery*

OPINION 7 *Jerold S. Auerbach* Being Jewish in Public, *James Hitchcock* A Tale of Two Bishops, *Myron Weiner* Hindu Nationalism, Indian Democracy

ARTICLES 13 *James Davison Hunter* What Americans Really Think About Abortion

22 *Christopher Wolfe* Abortion and Political Compromise

30 *Gilbert Meilaender* Marriage in Counterpoint and Harmony

37 *Edward T. Oakes* Ludwig Wittgenstein Confesses

42 *Werner J. Dannhauser* Letter from Jerusalem

BOOKS 49 *Jerry Z. Muller* Poverty and Compassion by Gertrude Himmelfarb; *Charlotte Allen* Belonging to the Universe by Fritjof Capra and David Steindl-Rast; *Charles L. Glenn* Ed School Follies by Rita Kramer; *Leslie Newbigin* No Other Gospel by Carl E. Braaten; *Edward S. Shapiro* The Death of an American-Jewish Community by Hillel Levine and Lawrence Harmon; *Keith J. Pavlischek* Original Intent by Derek Davis; Briefly Noted

THE PUBLIC SQUARE 66 A Continuing Survey of Religion and Public Life by *Richard John Neuhaus*
This Month: Feminism and Feminism, etc.

Poetry by *Diane Bonds* (12, 48)

Editor-in-Chief: *Richard John Neuhaus*
Editor: *James Nuechterlein*
Managing Editor: *Matthew Berke*
Poetry Editor: *Nathan A. Scott, Jr.*
Publisher: *Institute on Religion and Public Life*
Publishing Services: *Publishing Management Associates*

First Things: A Monthly Journal of Religion and Public Life (ISSN #1047-5141) is published monthly (except for combined issues June/July and August/September) for $24 per year by The Institute on Religion and Public Life, 156 Fifth Avenue, Suite 400, New York, NY 10010. Second class postage paid at New York, NY and additional mailing office. POSTMASTER: Send address changes to First Things, P.O. Box 3000, Dept. FT, Denville, NJ 07834. **Editorial Offices:** The Institute on Religion and Public Life, 156 Fifth Avenue, Suite 400, New York, NY 10010. **Editorial Phone:** (212) 627-1985. **Advertising Offices:** 129 Phelps Avenue, Suite 312, Rockford, IL 61108. **Advertising Phone:** (815) 398-8569. **Subscription Department:** P.O. Box 3000, Dept. FT, Denville, NJ 07834. Unsolicited material cannot be returned unless accompanied by sufficient return postage. Newsstand distribution by Eastern News Distributors, Inc., 1130 Cleveland Rd., Sandusky, OH 44870.

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FIRST THINGS is published by Religion and Public Life, an interreligious, nonpartisan research and education institute whose purpose is to advance a religiously informed public philosophy for the ordering of society. RPL also sponsors scholars conferences, consultations, research projects, public educational events, and a fellows program.

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Correspondence

The Question of Anti-Semitism

I enjoyed very much reading the editorial "Jews, Christians, and Anti-Semitism" (March), imbued as it is with a generosity of spirit and deep faith. . . . I appreciated the clarifying statement that to care about Jews and Judaism is to care about Israel. There is no doubt in my mind that, too often, the raw crudeness of anti-Semitism finds a camouflaged outlet in a political antagonism to Israel.

I have some reservations about the editorial's statement that "a public square that is devoid of religiously grounded imperatives and inhibitions is a very dangerous place for a very small and very prominent population that is importantly different." The argument most frequently encountered in support of this notion is that the Holocaust was conceived and designed by a regime hostile to religion. What is missing in this viewpoint is the acknowledgment that the Holocaust was implemented in countries of Eastern Europe that were by no means secular. The Nazis undertook the monumental task of transporting the millions of European Jews in the belief that the implementation of the Holocaust would have a smoother ride in the religiously imbued countries of Eastern Europe. The question that begs to be answered is whether the thorough sweep of the largely unresisted Holocaust can be dissociated from Christology.

I submit, and Jewish history seems to confirm, that the New Testament is a rich source for inappropriate exploitation of anti-Judaic sentiments. While Jews, even those with no personal experience of the Holocaust, have a historical consciousness of that fact, most Christians seem to be unaware of it or tend to block it out. It is my belief that this tragic connection is the underlying reason why Jews tend to be inclined to strict separation of Church and State. To them religion in the public square is just a step toward publicly supported [anti-Jewish] religious education. . . .

The New Testament is the sacred book of Christianity, and nobody is suggesting drastic changes in its content. However, publicly enunciated teachings that would deal with the most egregious anti-Judaic expressions and that would provide the historical framework of the nascent formulation of Christianity would go a long way to make Jews more comfortable with religion in the public square. The nearly total silence [of the churches] on the subject suggests that even the first step, the publicly stated admission of a link to anti-Judaism, is still lacking.

Rifka Black Sandler
Pittsburgh, PA

Your probing the subject of anti-Semitism is both valuable and courageous . . . and of necessity, incomplete.

As you have carefully pointed out, there are Jews and Jews and Jews. Thus the discussion is immediately [confused] by the impossibility of collective identification or behavior. . . . But there is a radical fringe . . . to whom any criticism of Jews or Jewish actions is anti-Semitic. . . .

Thus references to the Holocaust are guilt daggers stuck in the backs of any and all critics. The radical fringe will vehemently disagree with your appraisal that "it is not anti-Semitism if one, all in all, does not like Jews very much, just as there is no moral culpability if, all in all, one has a dislike for Italians."

And this radical fringe for alleged reasons of self-defense engages in activities we cannot even discuss publicly because the negative judgments might produce an upswelling of anti-Jewish sentiment.

I remember Dr. Jerry Falwell once expressed the desire that Christians put together some sort of monitoring organization like the Anti-Defamation League of B'nai Brith to combat the anti-Christian sentiments sweeping the country. Indeed! . . .

Karl E. Brandt
Shallotte, NC

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I was deeply disappointed in your editorial "Christians, Jews, and Anti-Semitism." . . .

The editorial begins, cautiously enough, by saying that some think that Joseph Sobran and Patrick Buchanan have made public statements that could be construed by their tone as anti-Semitic. The editors concede that having no personal liking for Jews is not anti-Semitism unless it is carried to the point of demonizing Jews and wanting to single them out for special discriminatory and hostile treatment. Criticizing individual Jews, Jewish organizations, and the State of Israel on moral and political grounds is therefore permissible.

So far, so good.

But then the editors take the unwarranted step of agreeing with William F. Buckley's statement that "the likes of Pat Buchanan and Gore Vidal would have been more severely and generally censured for their anti-Semitic delinquencies, say, ten years ago." But it has not been established that Pat Buchanan and even Gore Vidal have, in fact, gone beyond the limits of reasonable discourse. They have, at most, expressed their dissent from mainstream opinion in a highly polemical manner, but no more polemically than they express their views on other policy matters (such as abortion, drugs, Communism, affirmative action, and homosexual rights). That is simply the give-and-take of American political discourse. There is little point in being thin-skinned or in "excommunicating" opponents by calling them anti-Semitic; the better course is to *refute* their contentions by rational and moral arguments. Jews are certainly entitled to advocate whatever policies they regard as serving their understanding of the common good, but non-Jews are also free to do the same without being dismissed unheard on unproven charges of anti-Semitism.

In summary, the editorial allows a wide scope for disagreement *in theory*, but no scope at all *in practice*. Your neoconservative standards for discourse on Israel are, in practice, so narrow that, according to them, Pope John Paul II himself would stand condemned as an anti-Semite for speaking out on behalf of the Palestinians and for repeatedly asserting that their peoplehood is as valid as the Israelis'. You speak of the need for cooperation between Christians and Jews on the basis of common biblical roots; but what kind of "biblical" vision worthy of the name would deliberately silence the prophetic spirit on the grounds of political expediency?

W. Robert Aufill
Stillwater, OK

There is no Christian conscience that requires Israel's survival more than that of any other country.

Nor have Americans a moral obligation to see that Israel survives more than any other nation.

The idea contained in the last paragraphs of your editorial, that there is such an obligation, is fatuous. And I am sure most Jews will agree this is so.

On the political level, to connect Americans with Israel's expansive foreign policy on the West Bank, enslaving the Arab people, and shooting and killing them to control them while removing their liberties, is a policy most Americans abhor; and one that most Christians of conscience throughout the world see is contrary to their religious and moral precepts.

John Branigan
Staten Island, NY

Your editorial was fairer to Christians than I have come to expect from interfaith journals. It was even fairer than William Buckley's essay, which suffers from the inhibiting fear that so many Christians have of the "anti-Semite" label. I like your tone and I can accept your general thrust until the end, when you bring up Israel. On Israel you err, for two reasons.

First the easy one. For better or worse, Israel has become a political issue. Just as American Jews can love Israel (some even more than they do America) and still be good citizens, Americans can oppose the endless, unappreciated aid we give to Israel and not be anti-Semitic. Aid to Israel involves public funds and is therefore a matter to be settled in the public arena guided by public morality, prejudice, and political considerations. . . .

Now the hard one. You say "to care about Jews and Judaism is to care about Israel." But I care about Jews and I don't care for Israel because it is a manifestation of Judaism and I do not like Judaism. I do not want to alienate my Jewish friends, but the doctrine of "God's chosen people" is just as separatist and intentionally divisive when employed by Jews as it is when practiced by "Christian Identity" cultists. If I didn't believe that, I'd convert to Judaism so as to be "chosen." Furthermore, I believe that peace will come when all the world, Jew and gentile, bows before the cross of Jesus Christ. Now, we can disagree about the points I just raised and still live together as good American citizens. Similarly, if Jews can mix their theology with their politics and still be good citizens, then I can mix my theology with my politics and not be an anti-Semite.

Tom Blair
San Pedro, CA

I appreciate many fine insights in you editorial, "Christians, Jews, and Anti-Semitism." A "Christian-Jewish enterprise" is to be applauded. After all, we do have common roots.

I too wonder about so many Israeli and American Jews being Jews only in name. Israel is a secular state. How curious, then, that it claims Old Testament promises regarding the land, but has so little regard for Yahweh. Colin Chapman's cogent historical and biblical study (*Whose Promised Land?* 1983) raises questions about Zionist assumptions on the subject.

Judaism is rightly admired as a religion imbued with humanism (I use the term non-pejoratively). At its best, Judaism has kept before itself the injunction of Micah, "To act justly and to love mercy and to walk humbly with your God."

Zionism has demonized that noble vision, however. Your editorial passes

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quickly over Israel's record—much too quickly. We may and do disagree over Israeli policies and acts. You leave out, however, another dimension: Accountability. Never mind accountability before God; what about accountability before the court of humanity? Can you not identify with the anguish of thousands of Israelis who, in the Begin/Sharon rape of Lebanon in 1982, feared losing their national soul? . . .

Your deliverance, "To care about Jews and Judaism is to care about Israel," is egregious. Not that I oppose the existence of Israel. I agree with you: "it is there." We have to go on from where we are. But I am deeply troubled about where we are.

Arabs are tirelessly pilloried for dedication to Israel's destruction. Hardly a word is breathed about the Likud regime's resolve to rid Israel and the territories of all Arabs, Christian as well as Muslim. To publicize this would jeopardize the billions in American economic and military aid. To their credit, thousands of Jews in Israel and in America valiantly speak up for a two-state Palestine. *Are they anti-Semites?*

Theodore J. Georgian
Montoursville, PA

Academic Religion

Thanks for Paul V. Mankowski's "What I Saw at the American Academy of Religion" (March). There are occasional days when I wonder why I left a tenured faculty position teaching religion and ethics to become a personal financial consultant with a major Wall Street firm. Mankowski reminded me of how shallow, silly, and smug professors of religion often are. Speaking for myself, I got tired of hearing academics judge ideas on the basis of ideology and seeing them confuse novelty with creativity. Although I now keep up with mundane things like interest rates and the tax consequences of various retirement plans, I feel more in touch with reality than I did listening to the latest tirades of the politically correct.

Michael McGehee
El Paso, TX

Lactantius Reconsidered

In his review of Jeffrey Burton Russell's *Inventing the Flat Earth* (March), Robert Royal claims that Lactantius "ignored the sophisticated hermeneutics of Fathers like Augustine and Chrysostom." I don't see any reason to hold this against Lactantius, since he died before either Augustine or Chrysostom was born.

Mr. Royal also claims that "Lactantius was posthumously condemned as a heretic." I have done extensive studies on Lactantius, accumulating material to refute his pacifist ideas. In all my studies, consulting about a dozen reference works, I never found the slightest hint that he was posthumously condemned as a heretic. Many theologians disputed many of his views, but that hardly makes him a heretic.

Ernest L. Fraser
Long Beach, CA

Robert Royal replies:
Ernest Fraser is correct that Lactantius could not have "ignored" Augustine and Chrysostom. This misstatement is mine, not Professor Russell's, who points out only how atypical Lactantius' scientific beliefs were compared with earlier and later hermeneutics among the Church Fathers. About Lactantius' posthumous condemnation, I relied on Russell's statement that it occurred and his explanation: "He maintained, for example, that God wills evil as a logical necessity and that Christ and Satan are metaphorical twins, two angels, two spirits, one good and one evil, both created by God (p. 32)." Russell cites as sources his own book *Satan* and Lactantius' *De divinis institutionibus*, 3:3, 3:24.

Euthanasia and Euphemism

J. Albert Clark (Correspondence, March) disagrees with your use of the phrase "manual for killing" to describe Derek Humphry's *Final Exit*. He argues that Webster's defines euthanasia as "an act of putting to death. . . ." *Webster's Ninth New Collegiate Dictionary* states that euthanasia is "the act or practice of killing or permitting . . . death." Mr. Clark calls killing a "negative term." To kill is nothing more than to deprive of life. Mr. Clark is allowing his logic to be clouded by euphemism.

He affirms that the person, body and soul, is owned by God. How, then, can he accept assisted suicide as a valid act when Humphry himself states on page 21 of *Final Exit*: "If you consider God the master of your fate, then read no further"?

Mr. Clark decries the use of costly mechanical means to sustain life in a non-functional physical body but fails to acknowledge the existence of any other solution to this problem.

Life and death issues must be examined with care if the emotional content with which they are charged is to be avoided.

Thomas Brown
Tampa, FL

More on Religious Freedom

Some thoughts on "For the Religious Freedom Restoration Act" (March).

The authors attempt to reassure us that RFRA cannot be successfully invoked by women claiming a free exercise right to abortion. The argument that they think "most decisively" precludes this possibility is that RFRA allows a free exercise claim to be overridden by a "compelling governmental interest." They assert (without citing evidence and interpretation) that "all of the justices who have indicated they are prepared to overrule *Roe* have stated that the government's interest in protecting unborn life is 'compelling' from the point of conception." Even if that were true, in order to obtain a *Roe*-overturning majority these justices might have to accept a less formidable proposition. But with respect, it seems to me that the available evidence is ambiguous. It seems more likely that an overturning of *Roe* will come through ruling that abortion does not trigger the compelling interest test, rather than declaring that the state's interest in the unborn passes this test.

A free exercise claim of this type will have more plausibility after the

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passage of RFRA than it does now because those advancing this claim will be able to cite arguments such as those made by the authors of the article emphasizing that the abortion issue is religious in nature. What might happen, then, is that the Supreme Court might be forced in future litigation to declare whether the state's interest in protecting the unborn is in fact compelling. Thus, RFRA and the pursuit of a pro-choice free exercise challenge might force the Court into making a more decisive rejection of *Roe* than now seems likely. It is also possible that the Court would back away from that option and allow the challenge to prevail. . . .

The authors address several criticisms based on contentious interpretations of RFRA, but they do not address the issue of the significance of the Act as an exercise of Congress' powers under section 5 of the Fourteenth Amendment. This power was intended to be, and has in fact been, used to give force to the provisions of the Amendment, especially the Equal Protection Clause. In recent years there has been new enthusiasm for its use, via the incorporation doctrine, to give force to protections in the Bill of Rights.

RFRA is an example of this new use of section 5. What makes this particular exertion of section 5 power noteworthy is that it mandates the judicial test the courts might use in interpreting an enumerated right, and in doing so it overrules the Supreme Court's statement about this test.

Conservatives should always be suspicious of new enthusiasms, even or especially when distrust of one's fellow citizens makes it seem as if the sky is falling, and when the enthusiasm relates to a two-edged sword. If RFRA is passed, jurists and legal scholars of the left will be able to cite the Act as evidence of support across a broad ideological spectrum for Congress' section 5 powers—even when used in explicit opposition to the judicial branch. Thus fortified, they can then go on to support the use of this power to correct any future overturning of *Roe v. Wade*. After all, why not use section 5 to establish the compelling interest test as the proper test to be applied with respect to the abortion right (you don't even need the aid of the incorporation doctrine for this)? The House of Representatives is currently considering an abortion rights bill (H.R. 25), and conservative scholars and pro-lifers are in Washington testifying that such a bill would exceed Congress' section 5 powers. This seems like a singularly inappropriate time to be marshaling broad bipartisan support for a vigorous new use of section 5.

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Over the years conservatives have expended much rhetorical energy in arguing against the dangers and deformations of expansive "rights talk." The authors of the article may be right that now we must do a 180-degree turn and give a boost to trends we formerly scorned. It may well be that rhetoric is no longer that important to something that now bills itself as "the traditional values movement."

Peter Widulski
Politics Department
Princeton University

I read with interest the essay on RFRA by Professors Durham, Gaffney, Laycock, and McConnell. The gist of the professors' argument is that it is highly unlikely that the Act will be successfully employed to invalidate restrictions on abortion.

I am a longtime supporter of pro-life efforts in Congress. I also serve as the ranking Republican on the Civil and Constitutional Rights Subcommittee of the House Judiciary Committee, which has jurisdiction over constitutional amendments and statutes pertaining to abortion and religious freedom, among other issues. I have examined carefully the question of RFRA's likely impact on abortion laws, and I have concluded that the danger is substantial. . . .

There is no doubt whatever that organizations such as the American Civil Liberties Union (ACLU) would attempt to use RFRA to entangle pro-life laws in a new web of litigation. As explained in careful legal analyses by leading pro-life attorneys, *at best* such litigation would effectively nullify such laws for years, and in some states permanently, regardless of what the Supreme Court eventually says RFRA means with respect to abortion. At worst, RFRA would effectively prohibit limits on abortion nationwide.

If this occurred, it would be nearly impossible to get past the congressional committees to correct pernicious interpretations by the courts. Consider the "KKK Act," enacted in 1973 to protect the civil rights of African-Americans, now construed by some federal courts to apply to pro-life "rescue" activities. Or consider the RICO law, passed to deal with mobsters, now used by feminist groups to entangle pro-life activists in debilitating litigation.

It is important to separate the question of RFRA's effects from the issue of the proper interpretation of the First Amendment. We are dealing here with a proposed federal statute, and we must carefully consider the likely or possible legal effects of the bill.

Some proponents of RFRA wish to avoid careful scrutiny of specific applications of the bill by saying that it simply "restores" the law that existed prior to the *Smith* decision. . . . In truth, no statute can simply "restore" free exercise law as we understood it pre-*Smith*, because it cannot simply overrule the Supreme Court's interpretation of the Constitution. Congress *can* sometimes prod the Court to reconsider a constitutional holding. I hope that the Court takes the first available opportunity to adjust the analysis that it employed in *Smith*. I think that a carefully constructed "litigation strategy" might well result in the erosion of *Smith* as a precedent, without giving rise to the grave dangers of the RFRA approach. . . .

Both the plain language of RFRA and the statements and actions of many of its sponsors and supporters have given me ample basis for concern regarding RFRA's application to pro-life laws. My objections can be removed only by insertion of explicit language in the bill to exclude its application to abortion.

A significant number of organizations have already filed lawsuits and legal briefs arguing that if a woman feels that an abortion is consistent with her religious beliefs, then it is her religious duty to get an abortion, and any law that stands in the way is an infringement on the woman's free exercise rights. . . .

I have some personal experience in this area, because I am the author of the amendment that ended almost all federal funding for abortion. That law was temporarily invalidated by a federal district judge on grounds that it interfered with the free exercise of religion of indigent women who want abortions (among other reasons). The Supreme Court did not reject that holding, but merely sidestepped the issue, ruling that the specific plaintiffs in that case did not have legal standing to press the free exercise claim.

I want to emphasize that I am not impugning the sincerity or good faith of the pro-abortion supporters of RFRA. On the contrary, I recognize their sincerity and take them at their word that they believe the right to free exercise of religion encompasses the right to obtain an abortion at will. . . .

Thus, I respectfully disagree with those who urge that we "take a chance" with the lives of countless unborn children. There are many others who share my pro-life views who also strongly oppose RFRA, including the U.S. Catholic Conference, the National Right to Life Committee, and Americans United for Life. It is noteworthy that these are the organizations that have been the most active in defending the pro-life cause in the courts, and who therefore have the clearest idea of what a powerful legal weapon RFRA could be in the hands of groups such as the ACLU.

Rep. Henry J. Hyde
U. S. Congress
Washington, D.C.

Dueling Editions?

In your March issue (Correspondence), you offer a "correction" of my quotation from Matthew Arnold's "Dover Beach." You suggest that the lines should read "the grating roar / Of pebbles which the waves draw back, and fling" and not (as I gave it) "suck back"—which you describe as a "rather unlikely alternative." Unlikely or not, that is what appears in both *The Penguin Book of English Verse* (1956 ed.) and *The Poems of Matthew Arnold* (Humphrey Milford/Oxford University Press, 1924). Investigation, I suspect, would reveal manuscript variations.

Kevin L. Flannery, S.J.
Oxford, England

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Opinion

Being Jewish in Public

Jerold S. Auerbach

For a long time, precisely as long as Judaism was marginal to my life, the strict separation of religion and state made perfect sense to me. The separation principle provided just enough camouflage for a community of Jews to oppose any further Christianization of American public life without at the same time having to assert their own Jewishness. Jews could privatize Judaism, or even trivialize it, while persuading themselves that they were staunch patriots defending the Bill of Rights.

Nevertheless, we Jews were trapped in an American double bind. We claimed allegiance to an American "tradition" of religious tolerance, pluralism, freedom, and separation. But we certainly knew, long before each December 25, that in all but name the United States still was—as Supreme Court Justice Joseph Story had once declared—"a Christian country." We worshipped at Jefferson's "wall of separation" without acknowledging that the author of that famous phrase had drafted Virginia's "Bill for Punishing Disturbers of Religious Worship and Sabbath Breakers," or that the First Amendment was more a monument to federalism and to Protestant definitions of denominational autonomy than to religious freedom.

For Jews, strict separation became a convenient constitutional rationale for strict secularism. Who ever thought to inquire whether the very principle of separation itself might not be fundamentally Christian? (It was Jesus, not Moses, who distinguished between what must be rendered unto God and what unto Caesar.) In the Jewish historical tradition, religion and nationality were closely interwined (as, for many Israelis, they still are). Nevertheless, we were Americans, and if that required a pledge of allegiance to a principle that undermined our own history and identity as Jews, we would gladly pay the price. We were not fools, nor were we fooled: separation promised protection, in education and politics, against further Christian encroachments. That was sufficient reason for our tenacious defense of it. In the naked public square, we could still pretend that the emperor—or, perhaps, the rabbi—was fully clothed.

None of this was clear to me at the time. Christmas was only a "national" holiday. Sunday was merely "a day of rest." Christians deserved to monopolize and control access to positions of public and private power. As Jews, accepting the Christian terms of emancipation, we would behave ourselves by tucking Judaism into our private closets. A double standard, surely; but so much a part of the natural American order that it could hardly be questioned.

It took a year in Israel before I had a glimmer of comprehension that there was nothing neutral about any of this. In the Jewish state, I actually was astonished to discover, Jews not only were observant at home, but observant Jews were on the street—and rabbis were in the Knesset, as members not chaplains. The Jewish calendar mercifully obliterated American holidays that were also Christian holy days. Menorahs and mezzuzahs adorned public buildings. In Jerusalem especially, the silence of Shabbat and the solemnity of Yom Kippur were strengthened and deepened by the ample support they commanded from government authority. The separation of religion and state might make sense where a tiny Jewish minority needed the benevolence of an overwhelming Christian majority but, wrenched from American context, the terms of accommodation to Christian norms were starkly exposed.

Years later, provoked by various experiences to examine some cherished assumptions, I prepared a course on religion and the state and, for a book I was writing, read widely in American religious history. The Christian imagery that prevaded American history, from the Puritans to the present, was inescapable. Yet from constitutional centennial to bicentennial, successive generations of American Jews had been taught to believe that the fondness for "Old Testament" metaphors in American public discourse displayed the fundamental continuity between ancient Jewish and modern American values—when, in fact, these metaphors expressed a flourishing Christian triumphalism.

Similarly, the First Amendment, that constitutional beacon of religious tolerance, had merely deprived the new federal government of power in the realm of religion, while carefully reserving to the states ample freedom to preserve a Christian commonwealth within their borders, if they were so inclined. Ironically, the "original intent" of the Framers, the hallmark of recent conservative jurisprudence, still has no more passionate advocates than secular liberals who (like Justices Black and Douglas before them) look to Jefferson and Madison to support their own separationist preferences.

The role of religion in American public life is likely to remain what it has always been: pervasively Christian, yet prudently concealed. In a country where nearly 95 percent of the population is Christian, this continues to pose obvious problems for Jews—the more so now that the traditionally united front of Jewish support for strict separation

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has sharply fragmented. The enthusiastic advocacy by the Lubavitch Hassidim of menorahs on public property and public funds for yeshivas has shattered the once monolithic "Jewish" position on church-state issues. With their "establishment" battles securely won, Jews must now decide whether they can tolerate their own religious symbols in the public square, precisely where Christmas trees and crèches are already located.

The more comfortable I became with Judaism, and with Jewish observance, the less I could defend the separationist position. By now, it seems a curiously American form of Jewish self-denial, whose primary function is to separate religion from life, precisely contrary to Jewish teaching. I can no longer pretend that separation effectively neutralizes Christianity. The United States, after all, is a country whose history, calendar, language, and, more than occasionally, law reflect the Christian piety and purpose that framed so much of the American colonial and national experience.

Jews may find it uncomfortable to acknowledge this reality, for it undeniably separates them from the American mainstream. But if Jews do not intend to become even more assimilated than intermarriage, secular liberalism, and assorted other American temptations have already made them, their only alternative may be the vigorous assertion of their own distinctiveness as Jews. If the United States truly is as tolerant of diversity as it claims, then Jews should have nothing to fear by being themselves, in public as in private. If it is not, then Jews should learn the limits and stop pretending otherwise. In the end, the role of religion in public life is a prism through which to observe the survival—or atrophy—of American Judaism.

JEROLD S. AUERBACH, *author of* Rabbis and Lawyers: The Journey from Torah to Constitution, *is Professor of History at Wellesley College.*

A Tale of Two Bishops

James Hitchcock

In the years 1975-76, Catholics attending Mass anywhere in the state of Montana would have heard the priest pray for "Paul, our Pope, and Eldon, our Bishop." Apart from the fact that outside of Montana there has never been a Catholic bishop in the United States named Eldon, there was nothing surprising about this.

What was surprising, as the traveller moved from town to town, was the discovery that there are in fact two dioceses in the state of Montana and that at the time both of them had bishops named Eldon. To be precise, Eldon Schuster was bishop of Great Falls, Elden Curtiss bishop of Helena. (Bishop Schuster retired in 1977.)

Two millennia pass. By some process—global warming, a new ice age, ozone depletion, overpopulation, a nuclear holocaust—most of the towns and cities of the United States are destroyed, and with them most of the libraries and archives. Helena and Great Falls are reduced to mere villages, gathering places for shepherds in the winter.

Missoula is now one of America's largest cities, and in the year 4002 its thriving Catholic archdiocese invites a distinguished scholar from the Catholic University of America to lecture there, a man steeped in ancient languages and church history. The official *précis* of his talk best captures its import:

"Montana Catholics are justly proud of their very old and distinguished ecclesiastical history, including the very full account they possess concerning the history of their church in previous millennia. The book, *The History of the Catholic Church in Montana*, written about the year 2300, is one of the fullest stories we have of early American church history.

"The reliability of that work is, unfortunately, increasingly questioned by scholars who have studied it carefully. One chapter in particular illustrates quite strikingly the necessity for skepticism—the report that, in the late twentieth century, there were two dioceses in the state of Montana, both of which had, at the same time, a bishop named Eldon, or Elden.

"From surviving birth and death records, tax rolls, telephone books, etc., scholars have ascertained that the name 'Eldon' was not a common one in the late twentieth century, 'Elden' even less so. Furthermore, by regional patterns it was much more likely to occur among Protestants than among Catholics. Fragmentary baptismal records of Catholic churches of the period reveal very few boys christened with either name.

"The likelihood that there would be two Catholic bishops named Eldo(e)n in neighboring dioceses at the same exact moment in history defies probability.

"No doubt there was a bishop named Eldo(e)n. There are fragments with that name and a small cross in front of it from the era in question, whose provenance was probably Montana. But scholars think that almost certainly there was only one such person, not two.

"The official history tells of a flourishing church

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in Montana which at some point found it desirable to split into two dioceses because of the great size of the state. Scholars now suspect, however, that in reality there was some kind of factional conflict or schism in Montana Catholicism in the late twentieth century, which produced two rival ecclesial communities—that of Helena and that of Great Falls.

"Bishop Eldo(e)n was probably the last bishop of a united Montana, valiantly holding the church together in the face of growing tensions. Because of this, both factions after the split claimed him as their own, the variant spelling of his name indicating different English dialects spoken in the two communities, a linguistic split itself probably indicating the ethnic division that was at the root of the conflict.

"It is important to remember that the *History of the Catholic Church in Montana* was written three centuries after the split occurred and that the author had to rely on various legends that had been passed down. These legends in turn had been created by the respective communities to explain their own pasts to themselves. Each needed the authority of the now-legendary Bishop Eldo(e)n, claiming to be his authentic spiritual descendants.

"Probably also in the late twentieth century, Helena had a bishop named Curtiss and Great Falls had a bishop named Schuster, most likely the first bishop of each community after the split. In time, as memories of the actual historical events faded, each community conflated Bishop Eldo(e)n with its own first leader—hence Bishop Eldon Schuster and Bishop Elden Curtiss. (The names give further clues as to the ethnic divisions that split the communities—Schuster has been found to indicate a Germanic identity, and Curtiss probable origins in the British Isles.)

"The author of the *HTCCIM* set down the truth as he had heard it, but he was not a critical scholar. His purpose was to preserve for the Catholics of Montana their stories about themselves, not to record objective history. Thus he perpetuated the myth of the amicable division of the state into two dioceses and the frankly preposterous story of the two bishops named Eldo(e)n."

As might have been expected, the lecture created quite a stir throughout the state of Montana, and some Catholics complained rather loudly that debunking "experts" should not be brought in to upset the faithful. But the whole episode was nicely put into context by an editorial in the Missoula archdiocesan newspaper:

"Montana Catholics are naturally disturbed at having some of their most cherished legends called into doubt. But we must remember that our faith is in no way dependant on the truth or falsity of such tales. They once served a pious purpose; they no longer do. Wisely, the archdiocese has decided for the time being to remove the marble plaque in the cathedral listing all the bishops of the state for three millennia, until a more careful investigation can be made into the accuracy of its claims.

"Rather than blaming the messenger who seems to bring us bad news, we should thank our distinguished visitor for sharing his insights with us, and we should rejoice that, once again, by their integrity, learning, and unbiased attention to the facts, scholars have shed needed light into a dark corner of the past."

JAMES HITCHCOCK *is Professor of History at St. Louis University.*

Hindu Nationalism, Indian Democracy

Myron Weiner

India's post-independence generation of leaders sought to keep religion at arm's length from politics, regarding religion as a disruptive force. It was, after all, conflict between Hindus and Muslims that had led to massive violence and to the partition of India. These leaders wanted India—unlike Pakistan whose leaders declared their country to be an Islamic state—to be a secular state in which all religions were to be given equal place.

India's leaders also interpreted Hinduism as a benign, even positive, force for democratic development. Hinduism, they pointed out, is an inclusive, not an exclusive religion. Unlike Christianity, Islam, and Judaism, it has no conception of theological orthodoxy, no single text to which all Hindus subscribe, no single deity whom all must worship, no universally prescribed rituals whose observance marks one as a believer, and no single ethical code of conduct. Hinduism is a religion whose core is mythology, not theology. For Hindus there are no such categories as heretics and apostates. Hinduism, said Nehru, is a tolerant religion, eclectic, open to ideas from other faiths, attuned therefore to the requirements of a democratic polity in which conflicts over interests and values are resolved through negotiations and compromise by people who are tolerant of one another.

There is, to be sure, another possible view of

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Hinduism. Hindu society is based upon a caste system in which each social group must perform its own dharma, or duty. Thus the Hindu state expects citizens to discharge their obligations according to the dharma of their caste. The state is an expression of the social order of hierarchy, and an instrument for maintaining that order. The king is part of the sacred order and it is his dharma to protect and preserve that order. Since the structure order is based on division and hierarchy, benefits and punishments should be dispensed unequally to individuals by virtue of the orders to which they belong. And since the divine purpose can only be fulfilled if each individual performs his appointed functions, it follows that there are no natural rights irrespective of the social status of the individual. Indians, according to this view, have rights or are punished as is appropriate to the community to which they belong. According to classical legal texts, Brahmins are to be given a lighter punishment than members of other castes for the same offenses, and indeed, what is a crime for one caste need not be criminal for another.

To argue about which of these interpretations is the correct one is to commit the fallacy of essentialism. For in understanding the impact of a religion on politics, what matters is which interpretation of the religion is widely held. India's post-independence leaders argued not only that Hinduism is a tolerant religion, but also that Hinduism is not as inequalitarian in theory as it is in practice. Caste, Hindu social reformers argued, is a medieval perversion of the system described in the Vedic texts. These spoke of social orders with some mobility, not unlike Europe's estates, rather than the rigid hierarchy that had in fact come to characterize Indian social life.

It is important to note that for Nehru and many others who subscribed to these views there was little if any pride in Hinduism as a religion. Nehru himself decried what he regarded as the anti-scientific superstitious ideas of many Hindus. He could not abide astrologers, saddhus, or priests. Hindu holidays and festivals were for him cultural, not religious, events. He worshipped at no household shrines and did not attend temples. And even as he praised the tolerance of Hinduism, he noted that Indians were also tolerant of unspeakable inequalities and brutalities.

Whatever role Hinduism may or may not have played in the development of Indian democracy, it is fair to say that India has a democratic polity with a reasonably good record on human rights. India has a free press, freedom of assembly and of religion, and free elections that have enabled opposition parties to change the government. This is not to say that the Indian government has never suspended civil rights. It did so during the emergency of 1975 to 1977, but these rights were subsequently restored. No doubt Amnesty International has a file on India, but I daresay that it is probably smaller than that of most other countries—or if it is larger it is because Indian representatives of Amnesty International are freely able to send in reports.

At a minimum one can assert that Hinduism has not been an impediment to the development of democratic institutions and civil liberties. India has a hierarchical social order, but not a hierarchical church. Unlike the historically conservative role played by the Catholic hierarchy in Latin America, or the role now played by Islamic fundamentalists, Hindu priests have been politically passive. Nor has the priesthood held up religious values as a standard for social policies such as birth control or abortion.

There are, however, two ways in which Hinduism, as interpreted by India's political leaders, has shaped the development of Indian democracy. The first is with respect to the notion of group rights.

The Indian constitution (in a section entitled Right to Equality) reveals a tension between Western and Hindu notions of rights. The constitution says that "the state shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth" and that "there shall be equality of opportunity for all citizens in matters relating to employment under the State." But the constitution also adds that "nothing shall prevent parliament from making any special provision for the advancement of any socially and educationally backward classes of citizens or for the scheduled castes [ex-untouchables] and scheduled tribes, including reservations of appointments in government." In the interests of achieving equality of outcome, government can provide unequal opportunities to groups. The state can provide quotas in employment to ex-untouchables. It can prevent non-tribals from purchasing tribal lands. It can extend educational and employment benefits to other backward castes.

Thus, after reconfirming the nineteenth-century Western liberal conception of the rights of citizens, the Indian constitution then asserts the principle of collective rights of classes of citizens based upon caste when these claims are made on behalf of groups that are socially and educationally backward. Other provisions of the constitution in fact go beyond enabling the government to give preferences to specified classes of citizens by requiring the government to do so. The constitution, for example, provides for reservations of appointments of scheduled castes and tribes to the administrative services and for reservations in parliament and in state assemblies.

In short, the Hindu notion of rights as privileges has been converted to the notion of rights as entitlements. The goals are different, of course—

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not to maintain inequalities but to achieve equality of outcomes. Entitlements are to be given to individuals not because of their own social and economic condition but rather because of the low status and unsatisfactory condition of the community to which they belong and into which they were born. In early 1991 the government announced that preferences in government employment would be extended to those who belonged to the "backward castes," a loosely defined group of castes who claimed to be economically depressed, and whose members constituted a majority of the Indian population.

The second way in which elite interpretations of Hinduism have shaped public policy is in their attitudes toward other religions. The government has passed laws against religious proselytizing since it regards conversion from Hinduism as an attack on national identity. Each religious community, however, is permitted to follow its traditional personal laws with respect to marriage, divorce, inheritance, and property rights. The government reaffirmed this policy after a bench of five Supreme Court judges ruled that a divorced Muslim woman named Shah Bano was entitled to maintenance from her husband in accordance with the Criminal Procedure Code, though according to Shariat the man's only obligation was to repay the marriage settlement from her family. In 1986 parliament, pressed by Prime Minister Rajiv Gandhi, passed the Muslim Women Act which overruled the Supreme Court to provide that a divorced Muslim wife had the right of support from her own family, not from her husband. The government had rejected the principle that a common law should apply to all of India's citizens.

In the late 1980s two political movements that explicitly exalted Hinduism, the Viswa Hindu Parishad (VHP) and the Bharatiya Janata Party (BJP), won increasing popular support. The VHP, a new organization with strong support form the Hindu urban middle class, launched a campaign to have the Babri Mosque in the north Indian city of Ayodhya, built in the sixteenth century on the presumed birth site of Lord Rama, demolished and replaced by a Hindu shrine. The BJP, one of India's well-established political parties, attacked the government for its concessions to Muslims on personal law and what it regarded as a "soft" policy toward Muslim-majority Kashmir. More importantly, the BJP launched a campaign for "Hindutva," or Hindu nationalism, asserting that India is a country with a single national identity, not multiple identities. The BJP argued that the government had been "pandering" to its Muslim and Sikh minorities and that it was time to assert a national identity centering on Hindu culture. The more militant among the Hindu nationalists called upon Muslims to adopt Hindu names, observe Hindu holidays, accept Hindu historical figures as their own, and in other ways to accept the dominance of Hindu culture.

BJP leaders were also critical of the government's decision to grant reservations to the backward castes, a policy that had angered India's educated (and largely upper caste) classes. The government's policy, they said, was dividing Hindu society.

Hindu nationalists brought forth a new interpretation of Hinduism. They centered their conception of Hinduism on Lord Rama, a Hindu deity who is the central figure in the Hindu epic, the Ramayana. The Ramayana was itself popularized (and modernized) in an extraordinarily successful national television series. The VHP launched a national campaign to consecrate sacred bricks for the building of a temple to Lord Rama where the Babri Mosque now stands. L. K. Advani, the head of the BJP, led a procession across northern India to support the movement. Hindu nationalism had become a major force in Indian politics, a backlash against the Nehruite conception of Hinduism and secularism, against reservations for backward castes, and for a new definition of national identity based upon an acceptance of India as a Hindu society.

The Bharatiya Janata Party has taken part in every national parliamentary election since the first election of 1952, but not until the parliamentary elections of 1991 had it offered such a clear exposition of Hindu nationalism. Before 1991, its share of the national vote ranged from 7 percent to a high of 11 percent (in 1989). In 1991 its vote leaped to 23 percent, with most of its support in the Hindi-speaking states of northern India where Muslims are concentrated. The BJP is now India's second-largest party, with 119 parliamentary seats (up from 86 in the 1989 elections) against 225 for Congress, and it controls four state governments. Its electoral base is strongest in urban areas, among younger voters, and among the upper castes, not among the traditionally religious peasantry, suggesting that its appeal may grow as the country becomes more urban, educated, and exposed to the mass media.

Does Hindu nationalism threaten Indian democracy? Nehruite secularists, parties of the left, and of course India's Muslims fear that it will. If the growth of the BJP leads to a rise in Hindu-Muslim violence and growing conflicts between India's upper and lower castes, they will be right.

But it need not. Hindu nationalism is not religious fundamentalism. Its leaders are politicians, not priests. They are not seeking to reestablish the caste hierarchy, or to persecute religious minorities. Their election manifesto calls for deregulation of the economy and more market-oriented policies. And they are committed to the democratic electoral process.

But religious nationalism, whether in Ireland,

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Poland, Russia, Sri Lanka, or prewar Japan, has often had two faces, one that nurtures pride in the nation's cultural and historical achievements and that can be a force for positive national goals, and one that is destructive of minorities and becomes a force for external expansion and aggression. Hindu nationalists are themselves divided, the more militant among them taking an aggressive anti-Muslim stance, the moderates seeking to create a positive nationalism without threatening minorities. The outcome of this conflict among Hindu nationalists will not only shape the character of the movement, but will have profound consequences for the functioning of Indian democracy.

MYRON WEINER *is Ford International Professor of Political Science at the Massachusetts Institute of Technology and author, most recently, of* The Child and the State in India: Child Labor and Education Policy in Comparative Perspective *(Princeton).*

By the Road South of Fairplay, Georgia

It assaults the eye, the Ponder family
graveyard, with twin obelisks visible
half a mile away. Inside its fence,
weeds, sawbriar, two monoliths inscribed
—in ivy wreaths— "George L." and "His wife,
Sarah." Beyond these stones lie markers
for three children—"This lovely bud
so young and fair," reads the only girl's.
In a second row—three tiny graves
with dates effaced or nearly so, all
unnamed infants. No other stones, no
children who survived to upraise
monuments, three-tiered and roofed,
with finials, Corinthian columns
at each corner of one tier, each stone
standing on a graduated pediment
and decorated with trefoils, leaves,
rosettes, like a monumental wedding cake.
Sarah (1824-1896) outlived her husband
by a decade, her last born—"Fair fleeting
comfort of an hour"—by forty years.
Don't you think she ordered these stones
to displace her perpetual grief, its
layers and twinings, its weight? How deeply
was her memory etched with the image
of a child staring by the door
as they carried out a coffin so light
and small a man could clutch the box
beneath a single arm? ("Purer this bud
will bloom above in bowers of paradise.")
She knew what a heart is for: to bury it
six times, or seven, without losing it;
to pass through a door blindly and yet
recognize the child, precious and imperiled,
breathing by the sill. Yes, it had to have
been Sarah who commanded marble shafts
to lift their heads above the province
of fever and accident; who demanded
trefoils, vines and wreaths, little roofs,
cornices, pillars, and spires, reasoning
God might dispose of the land but no one
would dare disturb such tormented stones.

Diane Bonds

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What Americans Really Think About Abortion

James Davison Hunter

At the foundation of any democratic society is the principle that the laws that order our lives together are legitimate only so long as they enjoy popular consent. This is precisely why the series of Supreme Court decisions allowing and protecting a woman's access to an abortion on demand are so deeply contested. These decisions do not, in the main, reflect the "will of the people." However, it would be a mistake to imagine that merely fine tuning the law in some way to reflect the arithmetic mean of public opinion in America would make any difference in resolving the controversy.

For, contrary to established opinion, the disagreement over abortion is not, at root, a legal one. Law is neither the fundamental problem nor the final solution. Thus if abortion rights advocates think that their opposition will just get tired some day and go away, they are dreaming—as are anti-abortion advocates if they imagine that all will be well the moment *Roe v. Wade* is overturned. None of the various possible legal outcomes will settle the dispute or even ease the tensions between these two groups, because the abortion controversy is in its nature a cultural controversy. No matter what happens in courts and legislatures the abortion issue will not disappear until we somehow reach a greater consensus with respect to the standards of justice and goodness our communities will abide by. If there is to be an abortion law that is politically sustainable over the long haul, then, the fundamental task must be one of moral suasion.

However, in an age like our own where the money and rhetoric of special interests dominate public debate, the art of persuasion sounds quaintly "Greek," in that antiquated and proto-democratic sense. If the system today makes it possible for laws to be enacted without convincing the community of their rightness, then clearly "persuasion" will be seen to be a waste of time and money. Yet the recovery of genuine public debate is not simply the stuff of late-night, sherry-drinking nostalgia but is in fact nothing less than the requirement of a truly just democratic order.

In the years since *Roe v. Wade*, serious efforts to listen to and understand one another have gone by the board. If anything, what is nowadays taken to be the main tool for listening to the general public—namely, survey research—has itself become an ideological weapon in the culture war. Survey questions are framed in ways that allow the side doing the surveying—whichever side it happens to be—to claim that it represents the views of the majority of Americans. The simplistic way that questions are typically worded (e.g., "Is abortion murder?" "Should abortion be legal?" etc.) only makes matters worse. Add to this the overt bias of research operations like the Guttmacher Institute, a kind of ministry of scientific propaganda for the abortion rights movement, and one finds very little reliable information on how Americans really view abortion and the abortion controversy. At most, we have a portrait of American public opinion defined by radical polarization on the extremes (roughly 20 percent) and total moral confusion in the middle.

A blithe, if not indeed imperious, ignorance of the public's real views on abortion characterizes advocacy on both sides of the issue. It was, however,

JAMES DAVISON HUNTER *is Professor of Sociology and Religious Studies at the University of Virginia. He is the author of* Culture Wars: The Struggle to Define America *(Basic Books).*

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the pro-life movement that was to feel the consequences of this ignorance most keenly, in the wake of the Supreme Court's *Webster* decision in 1989. What irony! Here was the first Supreme Court decision in years that favored the pro-life agenda: by changing the standards of judicial review for abortion law, *Webster* laid the groundwork for returning to the states the authority to regulate the practice of abortion. But before the pro-life movement had a chance to celebrate its victory, a pro-choice backlash was unleashed that effectively recaptured the momentum of public sentiment. In the months following the *Webster* decision, all of the major abortion rights interest groups reported a substantial increase in new recruits and contributions, celebrities came out of the woodwork on their behalf, and press coverage (largely favorable) on all of their activities was expanded. In other words, the anti-abortion movement had won the legal battle but lost the public relations battle. The political consequences were immediate. By autumn, at least forty-five members of the House of Representatives had modified their anti-abortion positions, resulting in a reversal by the House on both the Dornan anti-abortion funding amendment and the Hyde Amendment. Likewise, in several major congressional and gubernatorial elections, the victory was won by the abortion rights candidate in part because of the waffling of the pro-life candidates.

Out of the post-*Webster* panic there surfaced three serious efforts among the pro-life organizations to grasp just what was going on in the hearts and minds of average Americans over this issue. One survey was commissioned by the National Conference of Catholic Bishops and conducted by The Wirthlin Group; another was commissioned by the Family Research Council, a division of Focus on the Family, and conducted by Tarrance and Company; and a third was commissioned by Americans United for Life and conducted by the Gallup Organization. All were fielded in the spring and summer of 1990. The longer-range purpose of this research, of course, was to enable the groups sponsoring it to design strategies for influencing public opinion. Still, the surveys were not intended for public use in and of themselves, but represented a real effort to understand exactly how the American public views abortion. The sponsoring groups really set out to listen to those they hoped still to persuade. Now the results are in, and what we learn is fascinating indeed.

I

The abortion controversy is a debate in which people's emotional investments and the rhetorical sensationalism of the special interests both run high, to say the least. Moreover, the debate now officially spans two full decades. Given the time and the energy involved, one would imagine that people who have opinions (and on this issue, who doesn't?) have formed them on the basis of a solid understanding of the facts. What we learn first and foremost from these studies, however, is that the public debate about abortion takes place in a context of colossal ignorance.

A case in point: The day Justice Thurgood Marshall retired from the bench, and speculation about the fate of *Roe v. Wade* began to stir, Peter Jennings announced the results of a new ABC survey showing that about six of every ten Americans favored keeping *Roe* just as it is. On the surface, this seemed like compelling evidence for maintaining the status quo. But the truth of the matter—and what Mr. Jennings didn't say—is that only about one out of every ten Americans has any real understanding of what *Roe v. Wade* actually prescribes.

According to the Gallup survey, one out of four Americans thought *Roe* permitted abortions only during the first three months of pregnancy regardless of a woman's reason for wanting one. Another one out of six believed that the decision permitted abortions only during the first three months and then only when the mother's life or health was threatened. Four percent actually believed that the decision outlaws all abortion in the United States. Finally, four out of ten admitted that they just did not know the legal outcome of this landmark case. The Family Research Council survey framed the question negatively and the results were the same: 80 percent of those polled disagreed with the (correct) statement that "abortion is available through all nine months of pregnancy"—indeed, 65 percent disagreed strongly!

The American public showed a similar lack of knowledge about the more recent *Webster* decision, though in this case they were a bit more aware of just how uninformed they were. Roughly 80 percent of the respondents admitted they were not at all familiar with the decision and only one in ten got it right. Add to this the fact that eight out of ten Americans either underestimated the number of abortions performed every year or else knew so little that they could not even hazard a guess and you have the makings of what has to be called a profound legal illiteracy.

Curiously the people most confident in their misinformation about abortion law generally, and *Roe v. Wade* in particular, were the ones most hostile to the pro-life cause. Those who view themselves as moderately or strongly pro-choice (who are also disproportionately college-educated), for example, are nearly two times more likely than the national average to say that *Roe* permits abortion only in the first three months.

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The extent of this legal illiteracy has tremendous social and political import. Consider first how it relates to the public's view of specific abortion-policy proposals. On the one hand, the majority of Americans say they want to keep *Roe* intact but they also favor proposals that would restrict, in some cases severely, what *Roe* currently allows—if they would not in fact undermine it altogether. Eighty-six percent of all Americans favor "informed consent," 84 percent favor health and safety standards for private abortion clinics, 73 percent favor a law that would prohibit abortion after the third month except to save the mother's life, 70 percent favor a policy that would require doctors to pay fines for performing illegal abortions, 69 percent favor restrictions on the use of abortion for the purposes of birth control, 69 percent also favor parental consent for teenagers seeking an abortion, and 65 percent favor laws requiring a test for viability after the fifth month. Still receiving broad support are proposals requiring the consent of the baby's biological father (55 percent) and prohibiting the use of fetal tissue for medical research (41 percent). The wide public support for these proposals coinciding with wide public support for *Roe* is understandable only if people imagine *Roe* to be something it is not.

Consider, too, how this great public misconception about current abortion law relates to the ebb and flow of passions on both sides. Evidence from the Gallup study revealed signs that public opinion is becoming more polarized, if only a bit. When asked if their views have drifted in the preceding two years, over one-third of those surveyed said that they had. In general people who are pro-life tend to say they have become even more pro-life in their views, while people who are pro-choice say they have become even more pro-choice. This intensity is not without its consequences, either. According to the Wirthlin study, nearly one out of five Americans say they feel so strongly about this issue that they would vote for or against a political candidate in an election solely because of his or her position on abortion.

Since *Webster* there is also some evidence that the worries of pro-life leaders about the effects of this decision are justified: the abortion rights position seems to be gaining some support at the expense of the pro-life movement. Roughly one out of every eight Americans who positions himself in the center or as moderately pro-life says he has drifted *closer* to an abortion rights position, while almost no one in the middle or slightly pro-choice has defected to the anti-abortion side of the debate. These tendencies in public sentiment are interesting in themselves; but they become all the more interesting when we realize that they have been taking shape in the absence of any clear understanding of the law people are so passionately debating.

All this suggests that people are arguing with phantoms, not with each other, and certainly not over the facts of the legal dispute. If the people agreed on what they were really disagreeing about, not only would the quality of public debate be enhanced but the entire map of the controversy could well be redrawn. Of course, the majority of Americans believe that *Roe* is more moderate than it actually is, and the pro-abortion forces have much to gain by maintaining this public illusion. For the anti-abortion forces, public education geared toward demonstrating just how extreme the current law is—especially done as elegantly as Mary Ann Glendon has in *Abortion and Divorce in Western Law*—is clearly their first order of business.

II

This pervasive ignorance about even the most superficial aspects of current abortion law provides a useful backdrop for the issue of how Americans reflect morally on the matter of abortion. The surveys reveal much about the character of moral opinion, both at the opposing extremes of the debate as well as in the middle. What we find is that the usual characterization of the distribution of moral opinion—polarized at the ends and lots of confusion in the middle—turns out to be a rather crude simplification. Simplification, to be sure, has a certain usefulness. However, in this case it conceals a great deal of important, if not strategic, nuance.

Consider first the moral reflection of those who find themselves in the middle of this debate. Among ordinary Americans who claim to be neither strongly pro-life nor strongly pro-choice, moral judgment about abortion covers a whole range of possibilities. Surprisingly perhaps, such middling positions are neither random nor confused, as many suppose, but follow distinct patterns. There are two different ways of understanding the ambivalence the majority of Americans have toward the abortion issue. When people are asked to consider the range of circumstances in which a woman seeking an abortion may find herself, you get patterns of opinion that could be described as "shifting balance points": in the fairly rare situations of rape, incest, danger to the life of the mother, or the likelihood of infant deformity, for example, the balance point of public opinion moves toward the moral approval of abortion; and it is the strong pro-lifers, with their unswerving opposition to abortion under all conditions, who are outside the common run of opinion. In cases where it is claimed that a child would create an economic burden for the family or that the quality of life for the child or for the mother would be deficient, or where a teenager would be required to drop out of school, or where abortion is being used as birth control or as a means of selecting the gender of a child, it is the strong

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pro-choicers, with their unswerving approval of abortion under any and all circumstances, who become extremists. Moreover, whatever the situation, the level of acceptability among the public (however high or low) drops dramatically if the abortion is to take place *after* the first three months of pregnancy. Americans, then, seem to have little difficulty distinguishing between abortions they view as justifiable and abortions which to them are morally unacceptable. Thus since most abortions are not performed for medical reasons or reasons pertaining to rape or incest, it is clear that the majority of Americans would generally disapprove of the majority of abortions currently performed.

But . . . here we reach an important qualification.

While the majority of Americans morally disapprove of abortion in the situations in which it is most commonly performed, many of them nevertheless also seem willing to live with a law that makes it possible for a woman to get an abortion during the first three months of pregnancy almost regardless of the reason. The disjunction between what most Americans approve of and what they are willing to allow is not easy to square. Clearly one factor in this is a pervasive distrust of the power of the state to intervene in an individual's decision, however unpleasant or morally dubious they think that decision is. Such distrust is merely an echo of the Reagan era battle cry to "get the government off our backs." (The ironies are not subtle.) Curiously, though, however widespread people's distrust of the state is on this matter, such distrust is also fairly shallow; research shows that people's responses with regard to the role of the state will differ depending on the wording of the question. If the issue is posed in terms of the government intervening to restrict people's choices, they respond with predictable hostility; if it is in terms of the government intervening to protect the unborn, they respond much more positively.

Given all of this, it is clear that neither outlawing all abortions nor maintaining *Roe v. Wade* as it is are proposals that sit well with the American public as a whole or even with many of those at opposing ends of the controversy.

From a different angle, the character of the public's moral reflection appears more interesting, complex, and even three-dimensional. In a reexamination of the Gallup survey, Carl Bowman of Bridgewater College and I gathered a dozen or so questions dealing with the public's attitudes toward the ontological status of the fetus, the moral status of abortion, the circumstances under which people find abortion to be acceptable, about whether they would have an abortion themselves (or encourage one for their spouses, girlfriends, or daughters), and about how they position themselves on the social issue itself. These were combined in what specialists call a "cluster analysis," and what we found is that there are disparate patterns of thinking on this issue. Between the consistently pro-life and the consistently pro-choice positions are four relatively distinct positions.

Those who fall into the first cluster could be called the "secretly pro-life." These individuals are very much allies of the pro-life movement, for they believe that the fetus becomes a person from the moment of conception or a little after and, in principle, believe that the right to life outweighs the right to choose at conception. Despite their strong views on the protection of unborn life, they are reluctant to call abortion "murder," and they are willing to say abortion is acceptable under certain difficult circumstances. As it turns out, they might even consider an abortion themselves (or if male, for their girlfriends, wives, or daughters) if they found themselves (or someone close to them) in difficult straits, such as becoming pregnant as a result of rape or discovering the fetus to have serious genetic problems. What is curious about this group, however, is that despite their distinct pro-life philosophical leanings, they tend to think of themselves as "neutral" or even "moderately pro-choice" in the controversy itself.

Those who fit into the second pattern of moral ambivalence toward abortion could be called the "conveniently pro-life." Like the secretly pro-life, these people are also very much pro-life in their general orientation to the unborn. The majority believe that the fetus becomes a person from the moment of conception, and also, just like the secretly pro-life, believe that the fetus' right to life outweighs the woman's right to choose at conception or shortly thereafter. Unlike the secretly pro-life, however, they tend to believe that abortion is murder. It is not surprising, then, that they tend to think of themselves in the controversy as moderately or even strongly pro-life. Yet, when asked to consider specific situations under which abortion might be acceptable, they are more accepting of the practice than are other pro-life Americans. Even more telling is the fact that when faced with a personal decision about abortion, they would not hesitate to have or at least strongly consider having an abortion, especially under the more trying situations described above. In general, these people are strongly pro-life in their philosophy, but pro-choice in personal practice.

Those in the third cluster of moral opinion could be called the "reticent pro-choice." On balance, members of this group think of themselves as moderately pro-choice and, to a certain degree, even morally neutral on the issue. Nevertheless, their assumptions about the nature of the fetus and whose rights should be protected are very much on the abortion rights side of the debate. Specifically, they focus upon *viability* as a key point in the pregnancy,

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believing that personhood begins at this point or even later, and that the right to life does not outweigh the woman's right to choose until this point in the pregnancy. Faced with the likelihood that a child of their own would be born with a genetic abnormality, they would either have the abortion or at least seriously consider it. What makes them uniquely ambivalent in their understanding of abortion is that they tend to be reticent in conceding the moral acceptability for abortion to other people. This ambivalence is also reflected in the way they identify themselves on the issue: namely, as neutral to moderately pro-choice. Perhaps one reason for this ambivalence has to do with their view of the ethical status of abortion itself. While they generally do not believe the act is murder, they do believe that it is the taking of human life. Thus, they vacillate, and since they are not really positive one way or the other about abortion, they are pro-choice. In a word, they are pro-choice by default.

The final pattern of ambivalence could be called the "personally opposed pro-choice." They are the mirror opposite of the conveniently pro-life for they are pro-choice in philosophy but pro-life in personal practice. They believe that the fetus only becomes a person at the point of viability or even later in the pregnancy. In line with this, the majority of these individuals state in principle that the unborn's right to life outweighs the woman's right to choose at about the fifth month. Is abortion murder within this group? No, not really. While a good many will say that abortion is the taking of human life, they emphatically state that it is not murder. The predominant opinion among them is that abortion is only a surgical procedure for removing human tissue. Ethically, they show a fair degree of consistency with the pro-choice stance. Pro-choice by commitment, they view abortion as morally acceptable in many if not most situations. Yet what really sets the members of this coalition apart is their emphatic *un*willingness to consider an abortion for themselves, even, for example, if their baby were shown to have serious genetic problems. Only in the most extreme and trying situations would abortion ever be a consideration.

What these clusterings of moral opinion clearly show is that people's views of abortion cannot adequately be framed in terms of a single continuum between those who favor it and those who don't. It is not enough to say one is more or less pro-life or more or less pro-choice. Public opinion on this issue is not one-dimensional. Individuals' attitudes toward abortion can be qualified—perhaps even contradicted—in various ways by other considerations. Indeed, probing deeper, one is likely to discover still other attenuating factors that shape people's views toward the issue. All in all, public debate would only be enhanced by learning more about such attenuations and addressing them with something other than the bludgeon of a direct-mail solicitation.

III

What we learn about the moral opinion of Americans who are in one way or another ambivalent about abortion has strategic implications for both sides of the abortion war. Surely as significant as this is what we learn about the character of the worldviews of those individuals at the polarized ends of the debate. What the anti-abortion and abortion rights sides stand for in the abortion debate is well-known. But how do the larger worldviews of the activists relate to the worldviews of middle Americans?

Americans who are consistently anti-abortion in their views—the stalwart support of the pro-life movement—have found allies in their cause among those whom we have called the secretly pro-life and the conveniently pro-life. While the various pro-life groups seem to share much in common on this particular issue, on other matters the worldview of the consistently pro-life is markedly different from that of the majority of Americans, even that of the pro-life movement's closest allies. People who are consistently pro-life are significantly more conservative in their attitudes about sexual morality and family life, they are more conservative in their approach to electoral politics, and they are far more religiously observant. Actually, outside of the abortion issue, the secretly pro-life and the conveniently pro-life seem to have more in common with the various abortion rights coalitions. This may help to explain why the secretly pro-life are *secretly* pro-life. Despite their personal opposition to abortion, the secretly pro-life are hesitant to think of themselves in public as being "pro-life." A plausible reason for this is that the label would put them in the same camp with persons who are, in many profound ways, quite different.

Those who are consistently pro-choice—the rank and file support for the abortion rights movement—also depart significantly from the national norms in ways exactly opposite to those of the pro-life; that is, in their sexual libertarianism, their political liberalism, and their secularism. The most remarkable way in which they are separated from the cultural mainstream, however, is in their strong moral approval of the latent cultural ideal that only life "worthy of living" should be protected.

Begin with abortion. The strongly committed pro-choice show little concern, to say the least, for fetal life. Here are the figures: the strongly pro-choice are two to three times more likely than the average American to say they would have an abortion if a baby has a genetically related mental or physical problem (such as mental retardation,

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blindness, a missing limb, a defective heart, or a terminal illness); three-fourths of the strongly pro-choice believe that if a child will place a heavy financial burden on a family, abortion is acceptable, compared to just over one-fourth of the larger population (and compared to 93 percent of the strongly pro-life who disagreed); three-fourths of the strongly pro-choice also agreed that "abortion is usually a better option than bringing a child home where it is not wanted," compared to one-third of the general population (and only 8 percent of the strongly pro-life); and 21 percent of the strongly pro-choice (three times more likely than the average American) say that gender-selection abortions are acceptable during the first trimester (15 percent say they are acceptable in later stages).

If the pro-choice seem unconcerned for fetal life, they would seem outright coldhearted toward the despairing and the vulnerable: while still a minority (roughly one-third of their total number), the strongly pro-choice are twice as likely as the average American (and five times as likely as the strongly pro-life) to agree that suicide is "morally acceptable because a person has a right to do whatever he wants with himself." The pro-choice are also the least likely of all Americans to say that someone who is depressed and lacks the will to live is wrong to commit suicide. So too, 67 percent of the strongly pro-choice agree that "it would be best for all concerned to let a newborn infant with an 'extreme deformity' just die," compared to 37 percent of those neutral on abortion and 21 percent of the strongly pro-life. The same general pattern of opinion plays out in moral judgments concerning the terminally ill patient who is in great pain and requests to die, and about the rights of family members, in consultation with doctors, to remove life support from a person who has lapsed into a vegetative state. Here too, the strongly pro-choice are the least likely to favor the protection of life. Interestingly, the Gallup survey also showed, counterintuitively, that the self-identified strongly pro-choice are, by a small margin, the most likely to favor the death penalty, while the strongly pro-life are the least likely to favor it.

The association between the pro-abortion movement and the various policies of medicalized death is too consistent (and too chilling) to brush off as a statistical triviality. Here, in the straightforward figures of public opinion research, one finds grounding for Philip Rieff's observation that the secularizing elites of the emerging culture have attached themselves to a death cultus, one "deodorized," as he puts it, by the "fictions of unfreedom." Indeed, given the rhetoric of the abortion rights cause and its kindred movements, one wonders whether death is the means or just the net effect of the quest for "autonomy," "empowerment," "freedom," and a "high" quality of life.

Speculation aside, in their latent moral assumptions, people make decisions about who is a member of the larger human community, and therefore worthy of protection, and who is not. In a *truly* liberal culture, of course, we want to respond to this question with inclusiveness—showing compassion for the weak and marginalized. That the strongly pro-choice are those who most vigorously identify with liberal political culture comes as no surprise. The liberal tradition is a source of pride. But considering how many of the pro-choice respond to the suicidal, the physically and mentally impaired, the terminally ill, and the pre-born (even late-term), it is fair to ask if that liberal tradition is not somehow deeply betrayed.

IV

By exploring the nature of ambivalence in public opinion on abortion as well as the character of the opposing poles, the surveys make headway in describing the moral cartography of abortion opinion in America. They also help make sense of why it is people hold the beliefs they do.

To begin with, we learn that what Kristin Luker found in her study of movement elites also holds for the votaries of these movements among Americans generally. Pro-life and pro-choice Americans not only hold opposing views of abortion but, as alluded to earlier, of motherhood, human sexuality, and the family. Beyond these more obvious associations though, the studies also show that people's perspectives and opinions are directly related to even deeper and more fundamental assumptions about the sources of truth and of goodness, about the ultimate meaning of life, and so on. These perspectives, we come to see, are born out of participation in distinct moral and religious communities. What this means, in other words, is that people's attitudes toward abortion are not only rooted in larger worldviews but that these worldviews are institutionally rooted within and sustained by "communities of moral conversation."

The findings in support of this assertion are dramatic for their consistency. The community of moral conversation to which a person belongs is a much better predictor of position on the abortion issue than that person's education, regional identity, race, gender, or any other background factor.

Evangelicals and theologically conservative Catholics are overwhelmingly pro-life in their commitments. Nearly nine out of every ten evangelicals and conservative Catholics are somewhere on the pro-life side of the controversy. Just over half of all those in these communities could be called consistently pro-life. Interestingly and importantly, though, one-fifth are secretly pro-life and one out of seven is conveniently pro-life.

Theologically liberal Catholics also tend to be

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on the pro-life side of the controversy but only one out of four is consistent in his pro-life commitment. As many are likely to be secretly pro-life and just a few less than this are likely to be conveniently pro-life, publicly approving of the anti-abortion agenda yet privately given to the abortion option. Very few liberal Catholics take the reticent and personally opposed pro-choice positions, yet 16 percent of all liberal Catholics are consistently pro-choice.

Mainline Protestants are the least homogeneous in their views of abortion, perhaps reflecting the theological disarray plaguing that community. About one-fifth of all mainline Protestants take the consistently pro-life position; another one-fifth take the consistently pro-choice position. Another one-fifth of all mainline Protestants are those who are pro-life in almost every way but think of themselves as neutral or pro-choice—the secretly pro-life. Finally, about one out of every ten mainline Protestants is found among the personally opposed pro-choice.

Most secularists (about eight out of every ten) position themselves decisively on the pro-choice side of the continuum and, more often than not, are philosophically consistent and politically active in their commitments. A significant minority would not consider abortion for themselves, even given extenuating circumstances, but they are nevertheless ideologically committed to a progressive abortion morality. Yet there is a sizable and curious handful of secularists (about 16 percent) who are secretly pro-life.

The distinct ways in which moral communities relate to the issue of abortion are significant in light of the "ancient wisdom," drawn from much earlier survey research, that the only factor that could accurately predict polar attitudes toward abortion was a person's frequency of attendance at religious services. The indicators (mostly General Social Surveys of the National Opinion Research Center) used back then were crude in that they never probed the nature of a person's deepest moral beliefs and commitments, but they pointed to the important fact, affirmed in the present surveys, that it is not intellectual assent to the distinct beliefs of a moral community alone that shape a person's attitudes toward abortion but rather beliefs in combination with actual participation in the rituals of community life. Thus, roughly two-thirds of all evangelicals and orthodox Catholics attend religious services once a week or more compared to about two-thirds of all mainline and liberal Catholics (and 92 percent of the secularists) who attend once a month or less. Not surprisingly, the most observant Christian traditionalists are most likely to be strongly anti-abortion, and the least observant modernists, Christian and otherwise, are the most likely to be strongly pro-abortion.

All of this says much about the development of antagonisms in the culture war itself. It is well-known that the hostilities in the culture war generally are deepest among elites in these communities of moral conversation, moral traditionalists standing firm on one side of the cultural divide and cultural progressivists on the other. The surveys are significant for showing how this division has also penetrated the experience of ordinary people. The moral communities in which they live are drifting further apart, at least on the abortion issue.

So too, the association between abortion opinion and membership in distinct moral communities is so strong that one wonders whether, as a rule (though there are notable exceptions), one can be pro-life without believing in God; whether, as a rule, one can be devotedly pro-life without being religiously orthodox and observant. Naturally the pro-choice would like to make hay out of this, suggesting that opposition to abortion is mere sectarianism. Yet, given the fact that most Americans believe in God and, moreover, have at least some attachment to religious institutions, such arguments are spurious. Rather, religious sensibility is the very strength of the pro-life movement. For those whose sensibilities and attachments toward the transcendent are weak, the language and communities of faith still provide the critical entrée for the pro-life movement in the task of reaching and expanding its support.

V

Gaining popular support for a certain social and political end is invariably tied to the legitimacy of the movement that advocates it. And legitimacy is invariably linked to image. No matter how elevated or well-intentioned the goal, bad public relations can completely undermine the ideals that animate a movement. Here too, the three surveys provide insight as to how the anti-abortion and abortion rights movements are perceived in the public imagination.

As one might expect, the most consistent and staunch supporters of the pro-life and pro-choice positions carry fundamentally opposite images of each other's movements. Each of these coalitions views its own movement as being much more concerned about values, morality, and the family. Each also views its own movement as being more compassionate toward the poor and more sensitive toward the interests of women than its opposition. Conversely, those holding strongly pro-life or strongly pro-choice commitments view their opposition as being given to "extremism" and "intolerance."

In the end, though, it is the anti-abortion movement that shows itself as having the most serious

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image problem in the eyes of the American public. Outside of the rank-and-file of the anti-abortion movement, the average American—even when numbered among the closest allies of the anti-abortion movement, i.e., the secretly and conveniently pro-life groups—tends to view the anti-abortion movement in the same negative way that the pro-choice coalitions do. The average American is much more likely to view the anti-abortion movement as unconcerned about women and the poor, and marked by judgmentalism, extremism, and intolerance. This is a remarkable measure of the success of the abortion rights movement in casting the anti-abortion movement in a negative light and itself in a positive one, as well as the failure of the pro-life activists effectively to counter these destructive images.

The success of the activists of the abortion rights movement in demonizing the anti-abortion movement is all the more surprising when one compares image to reality. When asked in the surveys to express their personal concerns on a wide range of issues, individuals who identified themselves as being "pro-life" were, with but a few exceptions, as "liberal" as, and in most cases even more "liberal" than, the so-called socially progressive abortion rights groups. On average, pro-lifers were significantly more likely to express concern about child abuse, drug abuse, poverty and homelessness, and population growth than were the pro-choice. They also consistently showed as much concern for the issues of racial discrimination, minority rights, and women's rights as their opponents. It was only the consistently pro-choice who were more likely to express more concern for women's rights. The grassroots of the pro-life movement, then, is taking, as they say, a "bum rap."

Since the overall public perceptions of the pro-life movement are shaded so negatively, anti-abortion activists acknowledge the urgency of learning which of their arguments is the most compelling in order to regain ground in the battle for public opinion. All three surveys explored the plausibility of various pro-life arguments to the public as a whole. The findings provide even more evidence that pro-life and pro-choice Americans live in different moral universes. In general, those on the pro-choice side of the debate find little that is compelling in any of the anti-abortion arguments. Contentions like: all human life, including that of the unborn, should be protected; every unborn child has a basic right to life; human life begins at conception, therefore abortion is murder; while abortion is sometimes necessary, it is used too frequently as an easy way out—none of these holds much credibility. Pro-choicers don't even find the feminist arguments against abortion—that abortion enables men to take advantage of women; that abortion promotes a disregard for the value of human life; that abortion leaves women with emotional scars, etc.—at all convincing.

But what of those Americans who are ambivalent about the issue? It is their opinion, after all, that the pro-life movement is most eager to influence. Which arguments do they find most plausible? The Wirthlin study pressed this question furthest and concluded that the pro-life movement can best shore up support among its allies—and best undermine its opposition—by concentrating on a "rights-oriented" message: emphasizing the "rights" of the unborn to live and make all of life's choices, the rights of women to receive counseling, the right of a father to have a voice in whether the child is aborted, the rights of parents to have a choice to counsel a teenage daughter who is pregnant, and so on. Part of this strategy, they suggest, is to reclaim the language of choice, and by so doing, rename their opponents with the thing they promote—"abortion." Thus, pro-lifers are encouraged to call their opponents "pro-abortion," "abortion supporters," and so on, rather than "pro-choice." The conclusion, in other words, is not to rework the old pro-life message or articulate a new message but to adopt the language used by the opposition, infusing it with new meaning that will ultimately lead people to start thinking about the protection of fetal life. In sum, the Wirthlin study shows (and it is supported somewhat by the other surveys) that it is the language of "rights" and "choice" that resonates most broadly in the public arena. Wirthlin's chief advice to the pro-life movement, therefore, is to recognize this appeal and to promote it as the central apologia for the protection of fetal life.

That the language of rights and choice resonates with the majority of Americans comes as no surprise. It plays to both the best and worst aspects of American individualism. But to then conclude that in the effort to shore up pro-life support this message should constitute the principle apologetic of the anti-abortion movement is remarkably naive and, perhaps, a bit too desperate. The cultural impulse that animates secular modernists (in the arts, in the gay rights and domestic partners movement, in multiculturalism, in euthanasia, in the more frenzied expression of feminism, and so on) is built on precisely the foundation of individual rights. It is this latent but powerful impulse that is at the heart of the culture war—not the particularities of NEA funding, court-packing, law suits against the Boy Scouts, or again, even *Roe*.

To adopt a communications strategy for the pro-life movement that accepts this cultural premise, therefore, is to fight a battle by conceding the war. There are other themes in American culture that have a wide currency that would surely work

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better—themes, for example, that emphasize the importance of sticking together, of sharing each other's burdens, and of defending the helpless. Not only do these themes resonate deeply in the American imagination by appealing to the central ethical ideals of both biblical and humanistic faiths, but they also lay bare the moral recklessness of a liberal individualism that has no moorings other than a whimsical subjectivity.

VI

If listening carefully is the first step in the process of persuasion, pro-life groups should be applauded for their work in these surveys. Clearly they will have to swallow hard now and then, but the story is not completely dismal for them by any means. There are clear opportunities for the pro-life side as well as challenges to face. Pro-lifers are working with a population that is already predisposed, by virtue of its moral and religious sensibilities, to many more protections for fetal life than currently exist. This public is also very sympathetic toward legislation that will certainly curtail *Roe* if not undermine it. If it is shown that *Roe* is in fact far more extreme than the public had understood, then public policy could shift considerably more toward fetal protection with widespread popular consent.

For the anti-abortion movement to push for an even more conservative abortion policy—say to enact curtailments before the first trimester—will take considerably greater effort. Notwithstanding the power of its opposition, the pro-life movement's greatest obstacle will be itself. Neither its general cultural orientation nor its public image is appealing to many Americans who would otherwise be sympathetic to its objectives. Moreover, its standard arguments just don't play very well, and those that might play more cleverly—emphasizing choice, rights, etc.—only contribute to a cultural ethos that makes a libertarian and disintegrative family policy possible in the first place.

Driving home the simple truth about abortion and abortion law seems not only to be the best way to enhance the quality of public debate but also to find a democratically sustainable solution to this problem. For the anti-abortion movement, this task should surely begin in the particular moral and religious communities that are its natural constituencies—the evangelical and mainline Protestant, conservative and liberal Catholic, Mormon, and religiously observant Jewish communities. It is only in the context of the moral and sociological communities we inhabit, and not the public environment defined by direct mail, electronic sound bites, or paid political advertisements, that public debate will have integrity. It is only in the context of revitalized communities where our obligations to each other are viewed as at least as important as our rights for personal freedom that persuasive arguments—particularly those that seek to protect and hallow life—can have their lasting effects. FT

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Abortion and Political Compromise

Christopher Wolfe

Roe v. Wade is clearly in for substantial pruning—possibly even an outright overruling—in the near future. Thus the ball, so to speak, will be in the pro-life court.

As James Davison Hunter's article in this issue reminds us, Americans do not accept the positions of either the pro-abortion or the anti-abortion activists, but rather they agree with some elements of each. Most Americans agree that what is at stake in abortion *is* human life, and conclude from this that abortions ought therefore not be performed for less than a serious reason. They are sympathetic to abortion when it comes to the "hard cases," i.e., life of the mother, rape and incest, and serious fetal deformity. They also tend to think it more legitimate to have an abortion early in pregnancy rather than later. In other words, they are generally ambivalent.

One thing, however, seems quite certain: If Americans are given a choice between a pure pro-life position (no exceptions) and a pure pro-choice position, they will certainly choose the latter. In a culture that emphasizes individual liberty as much as ours does, ambivalence on an issue like abortion can easily translate into rhetorical power for a "pro-choice" position—unless, that is, the pro-life movement adopts a flexible political position that accepts the most that prudent action can attain in the present state of American attitudes.

Now it could be said that Americans will not be given a choice between two "pure" positions, because there will always be different shades of opinion represented in the legislatures that consider the issue, and the result will be some sort of compromise. And if the final result of each legislative battle will be compromise, some might argue that the pro-life movement must be as unyielding as possible in its demands in order to improve the outcome of the negotiating process.

The problem with this argument is that the vote in the legislature (especially after the demise of *Roe v. Wade*) would not be the crucial one. The crucial votes are those cast in elections for the legislators. The key question, then, is how to win enough of such elections to obtain pro-life legislative majorities.

Before *Webster*, the pro-life movement had one tremendous advantage: it could unite people—at least those who were aware of the real provisions of *Roe—against* a very extreme status quo. Even people who might favor abortion in a small number of hard cases could be aghast at the almost unlimited right to abortion afforded by *Roe*. With the cutting back of this decision, however, it will no longer be possible to build a powerful political movement simply on the basis of opposition to it. A larger number of voters will be concerned with the question of what will take its place. The withdrawal of the judiciary from the issue—even if, as is most likely, the withdrawal is only a partial one—inevitably shifts the focus to legislative battles. And the problem this poses for the pro-life movement is that many of the people who are aghast at *Roe* will be no less so at a pro-life position that is completely unyielding on the other side.

Given a choice between someone running on a Planned Parenthood (or national Democratic party) abortion platform and someone running on a no-exceptions pro-life platform, most citizens will—perhaps even with misgivings—vote for the former. (The term "no-exceptions" here should be understood to include positions that have an exception only for the life of the mother.) On the other hand, given a choice between a "pure" position and a compromise position, most of the same voters would

CHRISTOPHER WOLFE *is Professor of Political Science at Marquette University and author of* The Rise of Modern Judicial Review. *An earlier version of this article was given at a conference on "Abortion and Legislating in the Light of Moral Principle," sponsored by the American Public Philosophy Institute.*

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choose the compromise. It is harder to say what voters will do if given a choice between two compromise positions. For example, what if one generally pro-life candidate favored allowing exceptions in the "hard cases" and another generally pro-choice candidate accepted a prohibition of third-trimester abortions and those based on sex selection? The generally pro-life position would have at least a good shot at carrying the day, though one cannot really be sure.

But does it make any sense to talk of a "generally pro-life position"? Does not the very allowance of exceptions undermine the position by forfeiting its grounds in principle? Moreover, would not such a position be seen as a politically disastrous "waffle," even by those voters who are in the middle themselves? In short, is there such a thing as a morally acceptable political compromise on abortion?

A good way to find the sound affirmative answer to this question is to look at St. Thomas Aquinas' answer to the problem of "whether it belongs to the human law to repress all vices?" (Note that "vices" here refers not to personal foibles but to clear moral evils. *Summa Theologica* I-II, Q. 96, Art. 4.) St. Thomas says that laws imposed on men should be in keeping with their condition, for (quoting Isidore) law should be "possible both according to nature, and according to the customs of the country." This possibility is related to interior habit or disposition, some things being possible for one who has a virtuous habit that are not possible for others. "Human law is framed for a number of human beings, the majority of whom are not perfect in virtue. Wherefore human laws do not forbid all vices, from which the virtuous abstain; and chiefly those that are to the hurt of others, without the prohibition of which human society could not be maintained; thus human law prohibits murder, theft, and suchlike." In one of the responses, Aquinas adds that the danger of imposing on imperfect men precepts that they cannot bear is that "the precepts are despised, and those men, from contempt, break out into evils worse still."

On the question of abortion, to be sure, this analysis can cut both ways. Those who argue for an uncompromising position could point out that abortion falls precisely into the category declared by St. Thomas to be the area where law should repress vice, that is, the area where harm is done to others—particularly, of course, the crime of murder. Since abortion is a species of murder, it ought to be repressed.

But to take such a position is not the best way to apply St. Thomas' analysis. For one thing, the general criterion he offers for determining which vices human law may forbid is those vices that the majority of human beings are able to abstain from. The quotation from Isidore above suggests that this possibility is defined not just with respect to human nature in general, but also with respect to the customs of the country. The question of which vices the citizens of a given community are capable of abstaining from is an empirical one.

For another thing, while St. Thomas says that the vices from which a majority can abstain are chiefly those that cause hurt to others, without the prohibition of which human society cannot be maintained, that does not necessarily mean that any action involving serious harm to others should automatically be repressed. For example, it may not always be possible to enforce laws against prostitution (II-II, Q. 10, Art. 11), though men's transactions with prostitutes clearly harm wives and children. That acts harming others need not automatically be repressed is especially clear if one gives due weight to the qualification "without the prohibition of which human society cannot be maintained."

Moreover, the reference to murder need not be interpreted as applying to every act that is murder. If we are talking about laws without which human society cannot be maintained, then the reference seems to mean that we cannot forego murder laws *in general*. But there can be laws against murder in general without prohibiting every single form of murder. Even if it is true that inconsistency on this point "tends" to undermine society, it is nonetheless also true that many human societies based on great injustice have been able to maintain themselves for a long time.

This does not mean, of course, that the law should repress only those vices without the prohibition of which human society could not be maintained. The criterion here is that the law should repress those vices which men of imperfect virtue are by nature and by the customs of their country capable of abstaining from. Again, the question here is an empirical one.

Another criterion to be considered is that of the greater evils that can occur if a particular evil is not tolerated. For one, there is the consequence that the law will be despised and that those who cannot bear the law will, from contempt, break out into worse evils still. It is not hard to see that the inability of society to enforce a law may lead to disrespect for law. While the example is by now overdone, the case of Prohibition in the U.S. illustrates the danger very vividly. It seems most likely that an abortion law with no exceptions would be widely disobeyed. What might be the greater evils to follow from this? One would be the development of a thriving black market in abortions—one that would take all comers (rather than limiting abortions to particular cases), thus resulting in more deaths. An effect more difficult to predict and evaluate would

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be the effect on the body politic as a result of the disruption, including hatred and violence, that might accompany an abortion law that greatly exceeded what the customs of our country would accept. Finally, perhaps the most obvious "greater evil" of a no-exceptions abortion law would be simply that it would never pass; the law would then allow many abortions that might as a result of compromise have been prevented.

Applying St. Thomas' analysis, thus interpreted, one can argue that abortion in general should fall in the category of vices that ought to be repressed (the customs of our country are not so corrupt as to require abortion on demand), but one can also argue that the law would be prudent to withhold criminal punishment from *certain forms* of abortion (since the customs of our community clearly do make a total proscription of abortion impossible).

At this point, it seems useful to make some distinctions about the term "compromise." It is important to understand that the advocacy of political compromise does not involve compromise on the moral issue of abortion itself. Morally speaking, it is never acceptable directly to take the life of an innocent person, which the unborn child always is. ("Directly" means that, in some cases, it may be possible to permit the death of the unborn child as an unintended but unavoidable side effect of another action that is morally good, e.g., the case of removing a cancerous uterus.) "Legitimate" compromise on abortion, then, should always be understood to mean *political* compromise, that is, compromise about when the law should punish abortion as a criminal act.

Political compromise itself can be subdivided into at least two basic types. The first is what may be called "tactical compromise." This involves fighting in the legislature to obtain a prohibition of all directly procured abortion, using all one's resources possible to obtain this end, but when the final vote arrives, accepting something less than that complete prohibition because nothing more is possible at the moment. For example, Henry Hyde has provided admirable pro-life leadership in congressional battles over the years, working to prohibit any funding of abortion; but on some occasions he has been compelled by political realities to cast a final vote for bills that have allowed funding in some cases, e.g., cases of rape and incest. This kind of political compromise is very limited, for the vote in favor of such a law is occasioned only by immediate political necessity and it simply leads right into the next political battle to achieve complete prohibition.

The second, perhaps more debatable, kind of compromise (the one I want to advocate) may be called "strategic compromise." A prudent strategic political compromise on the abortion issue would start with a reminder of what we all agree on: the political battle is merely one front in a larger war; the ultimate goal is not merely to obtain laws that will forbid women to have abortions, but to form a polity that recognizes the sacredness of human life and whose citizens reject abortion as a violation of that principle. The "cultural" battle is not separate from the "political" battle—there is an intimate connection between the two—but there is a difference. At least part of that difference has to do with the nature and limits of law.

A strategic compromise on abortion would pursue the full moral principle at the level of the cultural or educational battle, while at the political level accepting "for the time being" laws that do not prohibit all abortion, or at least explicitly withhold criminal punishment for some of them, i.e., abortion "in the hard cases." "For the time being" means until public opinion can be brought around to the view that all abortion is wrong. Such compromise therefore goes well beyond the kind of tactical compromise that is forced, say, on a legislator in a given political vote, since strategic compromise amounts to a kind of temporary political "truce" on the exceptions.

This truce is limited to the political battlefield—it does not apply to the cultural one. In some ways, this might be likened to U.S. policy in the Cold War, in which the country adopted a strategy of containment, accepting for the time being the immoral conquests of the evil empire and looking forward to some day in the future when the Soviet Union would either mellow or collapse (largely through defeat in the "war of ideas"). And—to spell out one of the less than fully palatable implications of this strategy—just as the containment policy led the United States to avoid using tactical opportunities to make inroads into the Soviet Empire, e.g., as in the case of the Hungarian Revolution of 1956, so the pro-life movement might not for the time being automatically press for the most protective law that short-term political circumstances made possible.

For example, it is easy to imagine a situation in which a series of political "accidents" might give strong pro-lifers a majority in the legislature of a particular state in which at the same time public opinion would not support the prohibition of abortion without exceptions in the hard cases. In such a case, political prudence might suggest that a no-exceptions bill not be pushed for in the legislature, even if the votes were there.

A parallel instance of the latter argument is provided by the current situation faced by Catholics in Poland. In view of the power and prestige of the Church there, derived both from history and from the Church's leadership in the resistance to Communism, it is tempting for Catholics to push for laws that embody moral principles as fully as

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possible. But an effort of that kind—even if successful in the short run—seems likely to produce a substantial backlash against the Church, with a substantial forfeiting of the Church's influence in politics and in society (along with the eventual repeal of the laws).

Closer to home is the current example of New Jersey. The New Jersey legislature has a Republican majority that is largely "accidental," a popular reaction to unpopular tax policies of a Democratic governor. Should pro-life legislators press to obtain the maximum pro-life legislation that could be passed in this session? Or should a pro-life legislative strategist consider, not just what could be obtained by a vote of the current legislature, but also whether this legislation could be maintained and whether it might, due to a backlash, lead to something far worse?

Both tactical and strategic compromise are based on prudential considerations. Since part of the prudential norm is that exceptions be tolerated only as much as and for as long as they *need* to be tolerated, there is a natural tendency to look at things from a short-term perspective ("do we have the votes now?"). That might well be a mistake, especially in a democracy, where elections occur regularly and are often affected by accidental factors. Our prudential evaluation of circumstances affecting how closely we can bring our law into line with the moral law (and in this case, the moral ideal is clearly the political one as well) ought to consider the ways in which short-term "successes" built on accidental factors might lead to disaster.

The legitimacy of this position turns on an important assumption, namely, that a disputed question of moral philosophy can be resolved in its favor. One of the foundation principles of morality is that evil may never be done (directly intended) to obtain good, though evil may sometimes be "tolerated" as a side effect in order to obtain a greater good. Some pro-life moral philosophers are concerned that when strategic political compromise counsels that we sometimes not pursue the full protection of the innocent for which we have the votes right *now*, that is directly willing an evil (the injustice of failing to protect some unborn)—not as an end in itself, of course, but as a means to protect other unborn children. Those of us who advocate such strategic compromise are convinced that proper moral analysis will show that it does not directly will an evil, but merely tolerates it as a side effect. Part of my purpose here is to stimulate the necessary discussion of this important question.

In considering what pro-life strategy should be, it is necessary to keep in mind that ultimately the resolution of this issue must be accomplished at the national level. Simply returning the issue to the states cannot be a long-term solution. For one thing, some of the states that are likely to maintain strong pro-abortion laws, such as New York and California, account for a large percentage of the abortions in the country. For another, state anti-abortion laws will increase the price and the difficulty of an abortion by exactly the price and difficulty of a bus trip to a pro-abortion state. The increased cost and inconvenience may reduce the number of abortions, but hardly significantly. In the long run, then, the resolution of the abortion issue must be achieved by a Human Life Bill in Congress (pursuant to its power to enforce Fourteenth Amendment "equal protection of the laws") or, more fundamentally, by a Human Life Amendment.

It is, however, also necessary to point out that a national resolution is not imminent, to say the least. The national Democratic party is firmly controlled by pro-choicers, and the Congress is firmly controlled by Democrats. In the near future, then, the pro-life movement must continue its incremental strategy, focusing primarily on overturning *Roe v. Wade*, so as to make abortion restrictions legal at the state level, and then on obtaining whatever protections are possible state by state. These efforts will typically start with the areas that have the strongest support in public opinion, using whatever victories are achieved to educate and to build political momentum for future and broader legislation. Given the considerable variations in public opinion among the different states, the legislation it will be possible and prudent to pursue in one or another will vary substantially.

A more difficult question is whether, since the national battle must remain the ultimate focus, state battles ought to take into consideration the possible effect of state laws on national public opinion. And if highly protective state laws (e.g., those that would allow exceptions only for the life of the mother) would provide ammunition for the national pro-choice movement, then prudence might suggest second thoughts about them. (This too raises the disputed question of moral philosophy noted earlier.)

It could be, and indeed is, objected that the policy of strategic compromise would be both morally and politically disastrous. This objection must be taken seriously. How can avowedly "pro-life" candidates, whose position is based on the contention that abortion is taking the life of an innocent human being, compromise on the hard cases, without appearing to be, and being, unprincipled? Besides, voters may disagree with public figures who hold fast to principle but they positively despise those who compromise their principles merely to win political power. Look at the electoral fate of such "wafflers" on this issue as the candidates for governor in New Jersey and Virginia in 1990.

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Nevertheless, a strategic compromise that forbids abortion in general but withholds criminal punishment of abortion in the hard cases is compatible both with principle and with electoral necessities.

An example of such a compromise law would be the Utah abortion statute, as amended in 1991. This law would limit abortions to those "necessary to save the pregnant woman's life" or "to prevent grave damage" to her health or "to prevent the birth of a child that would be born with grave defects"—all of these to be determined "in the professional judgment of the pregnant woman's attending physician"—and to cases where the pregnancy is a result of a previously reported act of rape or incest, and within twenty weeks of conception.

Ideally, this law would be reformulated so that instead of "authorizing" abortion for the exceptional circumstances, it would prohibit abortion in general, explicitly withholding criminal sanctions in the exceptional cases. (It may also be that leaving decisions to the judgment of doctors would have the practical effect of preventing effective enforcement of the law.)

The above concerns aside, why is a law like this a morally acceptable political compromise? To begin with, the strategic compromise position is in no way based on the contention that abortion, very much including the hard cases, is morally legitimate. Its advocates must emphasize that their overall position continues to be that abortion is always wrong because it involves the direct killing of an innocent person. Moreover, they should indicate that they intend to pursue the long-term goal of persuading society that abortion is always wrong, thereby establishing the conditions of a law that fully respects the moral principle of the sanctity of innocent human life. The classic model here is Abraham Lincoln, who was able to favor a compromise solution on slavery "for the time being" while making very clear his full commitment to the principle that slavery is wrong.

What then is the basis for such a compromise? It is based on the limits of politics and of coercive law. The fact that something is contrary to the moral law does not automatically mean that it ought to be forbidden by civil law. When a society is deeply divided on a moral issue, it is not always possible or prudent to try to settle the matter fully by the coercive power of law.

A large majority of Americans think that as a general rule innocent human life should not be destroyed. There may even be a majority who believe that human life, in some sense, begins at conception. This by itself would seem to provide a sufficient basis for a law generally prohibiting abortion. Unfortunately, however, there are many Americans who believe (1) that the value of unborn human life, important as it is, does not always override other serious values, and (2) that there are different levels of importance to life at various stages of pregnancy. Until we can *persuade* such people that it is a mistake to "balance" human life against those other values, it would be imprudent to embody in the criminal law an absolute ban on abortion.

The difference with the "hard cases" is precisely that they involve genuine difficulties that make it much harder for most ordinary people to live out the implications of respect for life. Abortion in the case of a threat to the life of the mother is the best example, since it is possible that one of the very highest prices will be exacted from the mother, father, and the rest of the family for adherence to the moral law. Rape and incest, serious health problems for the mother (those that may inflict substantial and irreparable physical harm), and grave fetal deformities (those which, again, are serious and irreparable) also constitute extremely difficult circumstances under which to bear a child.

It is no answer to such problems, politically speaking, that they occur in only a few cases and therefore are not relevant to the abortion debate. Not surprisingly, public opinion would refuse to accept that, and would argue instead that precisely if it is "only" a few cases, then exceptions for them ought to be permitted.

One does not want to exaggerate the difficulties of pregnant women in these situations, as is often done; still, it is desirable to avoid a certain kind of obliviousness to human suffering that adherence to principle can sometimes lead to. And it is imperative that those who represent the pro-life movement make clear their compassion for those who suffer, even while refusing to concede that sympathy for the suffering can justify the commission of morally evil acts. (Equally important must be the denial that abortion, on the whole, alleviates suffering; rather, it must be firmly maintained that abortion deals only with symptoms, serving as an excuse *not* to deal with the real, underlying causes of suffering.)

None of these circumstances changes the basic moral issue, since such considerations do not justify *doing* a moral evil. They do, however, have an impact on the moral burdens that human beings of "imperfect virtue"—"ordinary people"—are able to bear. This would be true, I would guess, in most times and places. It is especially true of our contemporary culture, in which many of the "customs of the community"—affluence, materialism, sensuality, utilitarian morality—tend to undermine people's fortitude in dealing with moral choices that involve pain or discomfort. This may be a strong argument for using issues like abortion to educate people to a deeper sense of the priority of "the good" over "the pleasant," but in our national circumstances it would not be prudent to try to accomplish this education through the coercive power of the

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criminal law.

Putting this argument in a somewhat milder, more rhetorical form (it would probably not be advisable for candidates in elections to tell people that most of them fall in the category of "those of imperfect virtue") one can say that human law, especially the criminal law, does not ordinarily demand "heroism" of people. (I say "ordinarily," of course, because in some situations the law must require heroism. For example, a person could not obtain the return of a kidnapped wife by agreeing to the kidnapper's demand that he kill another innocent person. In principle, that heroism is what the ideal law would require with respect to abortion in the hard cases as well. But something short of the ideal may be necessary in the circumstances of a given polity.)

The pro-life movement can, and ought to, exhort people to respond heroically to difficult moral circumstances. One way in which many pro-lifers do in fact exhort is by setting an example themselves: helping people in those circumstances, with much self-sacrifice. But to demand heroism *through the criminal law* is likely to breed widespread resentment, disrespect for the law, and illegal action (both public civil disobedience and surreptitious evasion of the law). It is also likely to lead to a political backlash that results in repeal of the law, that discredits those who supported it, and that makes for legislation far worse than the moderate measure that might have been secured in the first place.

Nor would strategic compromise have to appear to be a "waffling" position. Of course, if not articulated and defended properly, it might come across that way. But the "wafflers" who went down to defeat in New Jersey and Virginia in 1990 were not men who had clearly and forcefully enunciated the kind of strategic compromise described here; they seemed rather to be trying to duck the issue or push it to the side.

The greatest virtue of strategic compromise is that it will save many lives that might otherwise have been lost. If a policy of strategic compromise succeeds, it will eliminate a large percentage of our current abortions, numbered these days in the millions.

How many abortions there would be under such a dispensation is hard to say. It would depend partly on the care with which the policy is drafted, so as to prevent exceptions from becoming large loopholes. (One presumes that at least some in the medical profession will try to help pregnant women to evade the law.) It also will depend on strong pro-life efforts to back effective enforcement efforts.

This justification based on the limits of law would not be readily available for another possible kind of compromise, which I think the pro-life movement ought to avoid, with one (unfortunately massive) exception. In general, pro-lifers ought to avoid drawing lines on the basis of the stage of pregnancy. That would undercut the principle of respect for human life far more than making exceptions in the hard cases by permitting abortions for something other than "serious reasons," permitting it indeed for any reason, however trivial. Obviously, it is lamentable that the law should embody a principle that fails to respect human life (against direct taking) for *any* "reason." But at least requiring a "serious reason" preserves some fuller sense of the principle. Such a law would, in addition, be much less likely to reduce substantially the number of abortions that would occur (the "greater evil" that toleration of the lesser evil attempts to avoid). Planned Parenthood and its allies would simply have to work harder to catch pregnant women earlier in pregnancy—which is in any case when most abortions already occur.

The one, unfortunately necessary, exception to avoiding stage-of-pregnancy lines is one at the beginning of pregnancy, i.e., the case of abortifacient "contraceptives." The tendency of many ordinary citizens to say, "If it looks like a baby, it must be a baby"—which helps to provide the pro-life movement with much of its support—also has the effect of depriving the pro-life movement of support when "it" doesn't look like a baby, that is, the time immediately after conception (and at least through implantation). That factor, plus the deep attachment of American culture to contraception, means that an effort to prohibit abortifacient contraceptives would be hopeless. It would clearly discredit the pro-life movement with many people.

Unfortunately, the battle is likely to shift to that front. One can see that in Laurence Tribe's exaltation of the principle of "privacy in the home," even as he expresses some misgivings about *Roe v. Wade*. The misgivings do not lead him to oppose *Roe*—he supports it by adding an equal protection argument—but his enthusiasm for the decision is decidedly muted. It seems plausible to speculate that he is hoping the abortion issue can be resolved by the advent of the "abortion pill" that can be taken in the privacy of one's home. (Not, by the way, RU-486. A pill that requires a woman to deliver a dead baby is not likely to be the abortion movement's "magic bullet." Neater, less messy pills that are variants of today's abortifacient contraceptives are likely to be the answer—at least until easily reversible sterilization methods become the anti-procreative technique of choice, with abortion pills as a rarer alternative.) But precisely because the future of the pro-life movement is clouded by such things, it becomes all the more important to try to get as strong a principle of respect for life into the law as we can now.

Another element in an effective pro-life strategic compromise would be efforts in the law to support

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women in carrying their unborn children to term. Especially where the temptation to abort children stems from economic hardship, it is desirable to eliminate this incentive to have an abortion. Thus even if criminal penalties are to be withheld from abortion in the hard cases, it does not mean that the law must always be "neutral" regarding such cases. It is possible for the law to encourage and support pregnant women in their carrying their children to term, whether or not abortions are prohibited.

A very difficult issue in regard to support for pregnant women is whether or not it exacerbates the problem in the long run. Charles Murray and others have made persuasive arguments that government programs in aid of unwed mothers help to create a culture of dependency that worsens the problem by creating perverse incentives. Murray is generally persuasive, although it is not easy to know what conclusions to draw from his analysis. But, in the instance of abortion, it is important that one impact of such programs is to show people that the political community that would forbid the "easy way out" of abortion is not indifferent to their difficulties. Unless some other way out of the dilemma is possible, this argument outweighs Murray's.

In the long run, a no-exceptions position is likely to discredit not only "moralism" but the very source of morality itself. One reason it is very difficult to get Americans to take natural law thought seriously is that historically, i.e., in the Middle Ages, the natural law was articulated in a form that considerably devalued personal liberty, especially in the area of religion. Criminal laws that track the moral law closely (even where there is little in the mores to support such laws) can only serve to exacerbate the suspicion of natural law thinking.

An insistence on no exceptions would doom the pro-life movement to political inefficacy for the foreseeable future. Nor is there any reason to believe that "purifying" the pro-life movement would increase its influence in the long run. The number of Americans who would actively work for a public policy that coincided with the moral law is extremely small.

One difficulty here is that a policy of no exceptions would require principled opposition to any and all abortifacient contraceptives. In the short run, that would mean a very small core of activists representing a relatively small portion of the population serving as "prophets" without political influence. These activists would presumably have a beneficial effect on the lives of some citizens who were persuaded by their advocacy; and however small the number, such an effect should not be dismissed as minor. That is why it will always be good and necessary to have some people in the pro-life movement who represent the "no-exceptions" position.

But the long-term influence of a pro-life movement that, for the most part, accepted strategic compromise would also be valuable, notwithstanding arguments that it would lose its capacity to persuade or transform by its unwillingness to adhere to principle: first, because it should and could make clear its adherence to principle, and second, because it would obtain a hearing from many people who would not bother to listen to those who are completely unyielding on the question of legal prohibitions.

But doesn't this position, it might be asked, resemble that of Mario Cuomo—and is not Cuomo's position one that no pro-lifer would be willing to call "pro-life"? Now, it is true that Cuomo's description of general principles is fairly accurate. He is right when he says that the civil law need not always fully enforce the moral law, and that what the law can do is ultimately a matter of prudential political judgment. His problem is that his prudential judgments are poor—so poor that their congruency with political expediency both in New York and in the national Democratic party lead one to certain nagging suspicions about their source.

Cuomo opts for the easy assertion that "abortion is a tragedy." Therefore he limits his anti-abortion stance to saying that we should do all we can to make it easier not to make that choice—by supporting social welfare laws. But "abortion is a tragedy" is too conveniently vague and minimal: it is not only a tragedy, but a terrible injustice as well. In the words of Princeton's Professor Robert George, "A child getting run over is a tragedy; deliberately running over a child is an injustice." Cuomo believes that no restriction on abortion is possible, and even that much opposition to public funding of abortion is impossible. Alas, what he means by "possible" others might be tempted to define as "pussilanimous," in the root meaning of the term.

Finally, Cuomo likes to treat abortion as a "Catholic" issue, and then to argue against imposing church morality on our pluralistic society. This is his deepest failure, not only as a Catholic layman but also as a politician. He cannot shift responsibility for moral positions to the Church and then use that as an excuse not to defend fundamental principles of justices. Abortion is not bad because the Church says so. The Church says that it is an "unconscionable crime" because it is so—in ways that any person, whatever his or her religion, should be able to see. Cuomo would do well to remind himself that while Lincoln compromised on slavery, in the end he is remembered by all as the great opponent of slavery. Cuomo's so-called "compro-

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mise" on abortion is simply to support abortion-on-demand and abortion funding and to beef up government social services and contraception. No one will ever remember him as having been an opponent of abortion.

One of the most difficult problems in pursuing a policy of strategic compromise is how to prevent such a policy from being interpreted as a *moral* compromise. Professor Charles Rice of Notre Dame argues that "every time a pro-lifer proposes a law that would tolerate the execution of some unborn children, his pro-life rhetoric is drowned out by the loud and clear message of his action, that he concedes that the law can validly tolerate the intentional killing of innocent human beings." That is, the law does not speak—and educate—merely through its rhetoric. The simple fact of the law is itself profoundly important. No matter how carefully the law is framed in words that respect the ideal of the sanctity of human life, compromise legislation still has as its bottom line the toleration of some abortions. And people being the way they are, some, perhaps many, will conclude from the fact that an act is not illegal that it is not immoral.

An example of this impact, and perhaps an example of the limits of this argument too, can be found in the case of slavery. Most of the founders believed that slavery was unjust and should be eliminated when that became possible. Yet they compromised in the Constitution and tolerated slavery, in the expectation that it was "in the course of extinction" (for reasons related both to economics—it was inefficient—and the spread of enlightened republican principles, such as those found in the Declaration of Independence). Unfortunately, the founders' toleration of slavery made it possible, not long after the founding, for a new generation of Southern leaders not only to defend slavery as a practical necessity (the line generally taken by the representatives of the slave interest during the founding), but also as something positively good, reflecting a natural order.

Eventually, it was necessary for American society to insist on its commitment to its founding principles, and it did so under the leadership of Abraham Lincoln. Lincoln was unwilling to say that slavery was compatible with the principles of our government, arguing that this nation could not long endure "half-slave, half-free." He favored a policy of preventing the spread of slavery any further, trusting that in due time this would lead to its extinction. But at the same time he was willing to accept slavery "for the time being," denying that the federal government had any right to interfere with slavery in those states where it already existed. Indeed, on the eve of the Civil War Lincoln was willing to agree to a constitutional amendment guaranteeing noninterference with slavery within the states.

Lincoln's position, then, was decidedly a "compromise" position. Was Lincoln's approach immoral and/or ineffective because he compromised his principles? Some abolitionists thought so. But in retrospect most of us would disagree. In fact, if the only opposition to slavery had been the abolitionists, who knows how long it would have taken to eliminate slavery? Lincoln, because of his political compromise, was able to win election as President, so that the principle of freedom from slavery eventually guided the prudential decisions of the nation. If the pro-life movement hopes to guide national decisions in the foreseeable future, it will only be possible on the basis of a platform that announces its principle clearly, while accepting prudential limits on it in practice.

Of course, there are some crucial differences between the two issues of slavery and abortion. Among them is the fact that the country was split sectionally on slavery—there is something more like a national "consensus" on abortion, though with some state and regional variations. Abolitionists had considerable influence in the North, where opinion became strongly anti-slavery (enough to elect Lincoln); "no-exceptions pro-lifers" are not likely to be a significant political force anywhere. For the same reason—sectional polarization—it was possible to "settle" the slavery issue by a war. That will not be the resolution of the abortion issue.

But the slavery issue does show us that compromise—even relatively long-term compromise—is compatible with maintaining political principle. If Lincoln could maintain principle while allowing deviations from it "for the time being," the pro-life movement can do so as well. And that is preferable to letting new generations be "drowned" in the widespread practice of abortion that will result if we do not act in ways that recognize the limits of politics and law in our nation. □

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Marriage in Counterpoint and Harmony

Gilbert Meilaender

If one were to seek a connecting thread that runs through the biblical witness, a good candidate would be "faithfulness." Robert Jenson has written that faithfulness is "the theological heart of the Bible," and that, in turn, marriage is "the paradigm case of an ethic of faithfulness." But in a creation marred and distorted by sin, this faithfulness is always threatened. The sword is placed not only at the entrance to the garden but also between the sexes—and, even, between husband and wife. What Karl Barth characterizes as our "being-in-fellow-humanity," our creation as male and female signifying that we are made for covenant community with each other (and, ultimately, with God), becomes a source of misunderstanding, tension, rivalry, and anger. As the curse of Genesis 3:16 puts it: "Your desire shall be for your husband, and he shall rule over you."

Marriage is, therefore, a sphere of life in which we must struggle to enact our faithfulness. Here we learn what a price permanent, faithful commitment to just one person who is completely other than ourself may exact. Nevertheless, in this earthly bond we are called to image the love God wills for the creation and bestows upon humankind in Jesus. "This mystery is a profound one, and I am saying that it refers to Christ and the church" (Ephesians 5:32). Of course, not all are called to marriage, and Barth is correct to see in it the typical but not necessary expression of our being-in-fellow-humanity; yet, in this bond many—perhaps most—of us begin to learn the meaning of mutuality in love.

It has, therefore, become something of an embarrassment that the biblical words which most clearly establish Christ's faithful love for the church as paradigmatic for the marital bond, words that depict the bond of husband and wife as one of mutual love in which equal submits to equal "out of reverence for Christ," should also be words that enjoin the husband to be Christlike by being "the head of the wife as Christ is the head of the church." If, however, we want to explore the meaning of marriage as a sphere of faithfulness, a covenant community in which a man and a woman begin to learn the meaning of faithful obedience, it is imperative that we consider the problems raised by these words in Ephesians 5. Any full treatment of marriage would, of course, be far more extensive, but our concern is a narrow one: to explore the bond between husband and wife in which they attempt to forge a union in which each submits to the other but neither tries to occupy the place of the other. The standard set forth in Ephesians 5 seems to suggest that within a partnership of mutual subjection there will be different roles to play. The union of husband and wife is to be a sharing among those who remain as different as their biological structures are different, though as complementary as those biological structures are complementary.

This is certainly not the only kind of union we might imagine. Consider an alternative very nicely displayed by Dorothy L. Sayers in one of her detective stories, *Gaudy Night*. The story is far more than a mystery, and one of its central themes is the relationship between Lord Peter Wimsey and Harriet Vane. He had once saved her life when she was unjustly accused, and she is now unable to avoid the feeling that she owes her life to him. Wimsey is madly in love with Harriet, but she fears commitment, believing that it must inevitably involve dependence and loss of self. She will out of a sense of obligation give herself to him if he wishes, but then, of course, it will not be the kind of giving he desires. Eventually the two elements in the plot—

GILBERT MEILAENDER, *a frequent contributor to* FIRST THINGS, *is Professor of Religion at Oberlin College.*

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the mystery and the love story—come together. Wimsey, determined not simply to possess Harriet, permits her to endanger herself and risk her life investigating the mystery. He resists the impulse to solve it for her—as, it turns out, he could have—and in so doing offers back the life she felt she owed him.

This is more than a touch of romance to spice up a story; it is Sayers' depiction of the ideal relationship between a man and a woman. In one musical metaphor, in particular, she brilliantly captures her ideal. Peter is being his most eccentric self—playing the piano and singing to Harriet while waiting for a shopkeeper to box a chess set he has bought. Harriet joins in. They begin singing some of Morley's *Canzonets for Two Voices*. Peter tells Harriet that she can sing "Whichever part you like—they're exactly the same."

> "This kind of thing," said Peter, as tenor and alto twined in a last companionable cadence, "is the body and bones of music. Anybody can have the harmony, if they will leave us the counterpoint."

Sayers returns to this musical image at the end of the story, shortly before Harriet accepts Peter's proposal. They attend a concert at which Bach's Concerto in D Minor for two violins is being played. Wimsey is absorbed in the music. Harriet

> knew enough, herself, to read the sounds a little with her brains, laboriously unwinding the twined chains of melody link by link. Peter, she felt sure, could hear the whole intricate pattern, every part separately and simultaneously, each independent and equal, separate but inseparable, moving over and under and through, ravishing heart and mind together.
>
> She waited till the last movement had ended and the packed hall was relaxing its attention in applause.
>
> "Peter—what did you mean when you said that anybody could have the harmony if they would leave us the counterpoint?"
>
> "Why," said he, shaking his head, "that I like my music polyphonic. If you think I meant anything else, you know what I meant."
>
> "Polyphonic music takes a lot of playing. You've got to be more than a fiddler. It needs a musician."
>
> "In this case, two fiddlers—both musicians."
>
> "I'm not much of a musician, Peter."
>
> "As they used to say in my youth: 'All girls should learn a little music—enough to play a simple accompaniment.' I admit that Bach isn't a matter of an autocratic virtuoso and a meek accompanist. But do you want to be either? Here's a gentleman coming to sing a group of ballads. Pray silence for the soloist. But let him be soon over, that we may hear the great striding fugue again."

The point is clear and the image a memorable one. In counterpoint two independent melodies interweave. It does not offer the independence of the soloist; yet the unity it offers is quite different from that of harmony. Neither of the independent melodies in counterpoint depends upon the other; that is, each could stand alone as an independent piece. Yet, together they are in some way enriched. Harmony, by contrast, suggests a kind of interdependence; neither part could very satisfactorily stand alone. And it is counterpoint, not harmony, that Sayers offers as an image for the proper relation of husband and wife.

This provides us with a clear—and alluring—alternative to the one seemingly presupposed in Ephesians 5. It is alluring precisely because it offers an image by which we can envision the bond of husband and wife as a union involving genuine exchange, yet a union of two equal and independent beings. Is this good enough for Christian thought? It may, of course, have to be. Certainly it is better than some of the current alternatives available in our society. There is, for instance, a radical feminism that pictures the male/female relation as one of unrelieved oppression and that tends to be separatist over against men. Thus, for example, Janice Raymond has argued (*A Passion for Friends: Toward a Philosophy of Female Affection*, 1986) *against* a feminism that seeks equality of women with men. To aim at that is already to cast one's thinking in terms of "hetero-reality": the view that woman exists always in relation to man. Instead, Raymond argues, women must begin with the companionship of self and those like the self—with "the autonomy, independence, and love of the female Self in affinity with others like her Self—her sisters." About such an alternative, Christians who see in the community of male and female the paradigmatic expression of our creation for covenant community must say with philosophers Mary Midgley and Judith Hughes: "A project whose only live example is apartheid can scarcely be a hopeful one" (*Women's Choices: Philosophical Problems Facing Feminism*, 1983). Sayers, by contrast, offers a vision far more Christian, and it may be that in the years ahead we shall simply learn from experience whether it is adequate. Human reason may gradually come to understand more fully the meaning of our creation for co-humanity as male and female. In the present moment we can only think tentatively about the sort of union Sayers envisions, probing its fitness.

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What, if anything, does it lack that a Christian understanding might need? What it lacks—and lacks intentionally—is an appreciation of marriage as communion between those who are not interchangeable and who in their otherness are interdependent. It is marriage so understood that begins to teach us the meaning of faithful commitment to that One who is The Other, for communion with whom we are created. In counterpoint the two melodies are joined, and their union is a lovely one, but either could stand alone as an independent piece. They are essentially interchangeable, as Peter says to Harriet: "Whichever part you like—they're exactly the same." The imagery cannot work perfectly for marriage, of course, since husband and wife are, at least, biologically other. What may give Christians—and some who are not Christians—pause, however, is that the biological differentiation seems to count for so little here.

Christians have struggled often and in many different settings against their own recurring tendency to deprecate our creation as embodied beings. It has been a constant struggle to remember that we are to find personal significance in that embodied condition, to affirm and value it. And it is the body, the bodily differentiation between husband and wife, that signifies the extent and difficulty of the project they are called to undertake: to be faithful to one who is not a mirror of the self; one not fully fathomable; one who is harsh, resistant, other. To care about such a one, to be faithful to such a one, to be at peace in communion with such a one—that is the fundamental meaning of marriage and the task spouses undertake. It should be no surprise that we often flee the task—if not literally, then at least by refusing to let the spouse stand forth in his or her otherness. But in fleeing it we lose the meaning of embodiment, of our creation as male and female.

The image of counterpoint that I have drawn from Sayers can make relatively little of this biological differentiation—and, hence, of the task that flows from it. The distinction will, of course, play a role in reproduction, but the assumption—extraordinary if we think about it—seems to be that everything bodily about us could be different, yet everything remain the same in the cultural sphere. Every cell in our bodies is sexed; yet the human person—the real person—is thought of as untouched by such bodily influence.

Seeing this we begin to comprehend how deeply implicated is Sayers' ideal in the modern Western affection for individualism and autonomy. Thus, for example, Midgley and Hughes write: "We have a choice. We can either extend the individualism which has been a religion in the West since the eighteenth century consistently to *both* sexes, or we can admit its limitations, treat it with more caution, and put it in its place as only one element in a more realistic attitude to life for everybody." Thus also theologian Lisa Sowle Cahill characterizes the androgynous ideal as a new version of "the liberal ideal of the autonomous agent, unconstrained—indeed undefined—by any significant communal or physical boundaries" (*Between the Sexes: Foundations for a Christian Ethic of Sexuality*, 1985).

And because it gives relatively little significance to our creation as embodied male and female, Sayers' vision inevitably transforms somewhat the task that marriage involves. The project is not that of shaping a union in which we learn the meaning of faithfulness to one who is other than ourself and in which, by being ourself and permitting the spouse to be himself or herself, we image our fellow-humanity; rather, the task is to gain the pleasures of submission without relinquishing independence. A difficult task, to be sure, but perhaps not clearly a school in which the meaning of faithfulness is as readily learned.

It is, of course, no great trick to discover something that may be lacking in a position. Far more difficult is finding a better alternative. We can consider both the promise and the problem of alternatives by looking at two such views. In each there is an attempt to make some sense of the "headship" Ephesians 5 ascribes to the husband and to explain its place even within a bond of equal partners. Consider the following two passages:

(1)

> The need for some head follows from the idea that marriage is permanent. Of course, as long as the husband and wife are agreed, no question of a head need arise; and we may hope that this will be the normal state of affairs in a Christian marriage. But when there is a real disagreement, what is to happen? Talk it over, of course; but I am assuming they have done that and still failed to reach agreement. What do they do next? They cannot decide by a majority vote, for in a council of two there can be no majority. Surely, only one or other of two things can happen: either they must separate and go their own ways or else one or other of them must have a casting vote.
> . . .
>
> If there must be a head, why the man? . . . The relations of the family to the outer world—what might be called its foreign policy—must depend, in the last resort, upon the man, because he always ought to be, and usually is, much more just to the outsiders. A woman is primarily fighting for her own children and husband against the rest of the world. Naturally, almost, in a sense, rightly, their claims override, for her, all other claims.

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She is the special trustee of their interests. The function of the husband is to see that this natural preference of hers is not given its head. He has the last word in order to protect other people from the intense family patriotism of the wife.

(2)

This freedom of decision granted to the wife, which frees her from the one-sided authority of the husband, cannot mean that the wife can make her decision in the name of her own individuality and its untrammeled development. On the contrary, she is bound to bring her work and the choice of her domicile into harmony with the primary obligation which is laid upon her by responsibility as a wife and mother. In this case her equality of rights can mean only that the husband cannot settle the question of the wife's working and domicile on his own authority, but rather that the wife makes this decision on her own responsibility. . . .

The freedom granted to the wife by the principle of equal rights therefore cannot mean an emancipation from the marriage and the obligation to seek the building of a common will on the part of the spouses. Rather this freedom can mean only that this common will cannot be one-sidedly dictated by the husband, but must be achieved in partnership. . . .

These problems naturally come to a critical point in the borderline cases. What happens when a meeting of minds does not take place? What happens, for example, when the spouses make different decisions about two possible places to domicile? . . .

The . . . problem [of] the rearing of the children makes far more difficult . . . demands upon the interpretation and administration of the principle of equal rights. In this case too the problem becomes more acute in the borderline cases, namely, when united educational authority of the parents is jeopardized by differences of opinion between the married partners. . . .

In the "normal" cases it would be a matter of the parents' arriving at a common agreement through discussion. In the "borderline" cases, where there is disagreement, however, it would be inevitable that one of the parents should have the right to make the final decision. . . . At this point where a choice simply *has* to be made and where the exceptional character of a borderline situation prevails, a theological ethics cannot abstain from declaring, in line with the tradition of Christendom based upon the Holy Scriptures, that the father holds the final decision. Though it is true that the New Testament does not recognize any spiritual subordination of the wife to the husband . . . it nevertheless upholds this subordination in the earthly affairs of marriage. . . .

And even if it does come to the point where the borderline situation exists, and the father exercises his right to make the final decision, it is important that the responsible person is one who is constantly aware of the other person in the marriage itself and must accept the consequences of his decision while continuing to live with the other partner.

For each of these authors—C. S. Lewis in *Mere Christianity* (1960) and Helmut Thielicke in *The Ethics of Sex* (1964) respectively—it turns out to be no accident that the New Testament passage which most clearly articulates the call to Christlike faithfulness within marriage should, at the same time, speak of "headship" in marriage. The fundamental assumption—and by far the most important claim—is that husband and wife should be committed to a permanent, lifelong union. They are not to imagine that they could "separate and go their own ways." They must make decisions "while continuing to live with the other partner" and taking account of the need to make such a shared life possible. This is the ground floor on which each of these discussions of headship rests. Both Lewis and Thielicke seem to care about headship chiefly because they discern a connection between it and permanence of the marital bond. Without a commitment to permanence, they would simply accept the fact that under certain circumstances spouses—unable to be reconciled to the "otherness" of the partner—would agree to disagree and go their separate ways. This suggests, in turn, that a culture not committed to permanence in marriage—or committed to it as little more than a fond dream, nice if one can manage it, but not the ground floor on which all else is built—is unlikely to be able to make much sense of headship in marriage.

Even if a commitment to lifelong fidelity were to require headship, however, why should the lot always or ever fall to the husband rather than the wife? She may, after all, be more astute, more judicious, or more responsible. At this point Lewis and Thielicke part company, offering quite different rationales. It may prove instructive to consider each briefly.

Lewis grounds the husband's headship in a certain trait that he considers more characteristically masculine than feminine: namely, the tendency to adopt a relatively more universal, disinterested, and impartial stance toward those with whom one stands in no special bond. That is to say, he thinks that justice will be best served in this way. Lewis'

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argument is, it seems to me, rather wooden. But when we concentrate on the particular reason he gives, it is thought-provoking to see how analogous it is to certain moves in recent feminist thought. What we should make of this I don't know, but the connections are intriguing to contemplate. Most well known, for example, are the claims of Carol Gilligan about differences in moral development and moral reasoning in males and females (*In a Different Voice: Psychological Theory and Women's Development*, 1982). These are, it is important to see, *differences*—not superiorities or inferiorities. Gilligan is interested in exploring two different modes of moral thought which, as it happens, seem empirically to be somewhat correlated with gender.

Gilligan's studies had as their central point the questioning of Lawrence Kohlberg's theory of moral development. For Kohlberg the highest stage of moral development involved reasoning that is in accord with principles of universal applicability, principles that leave no room for special preferences or connections—in short, for a justice that abstracts from the particular web of relationships connecting one life to another in special ways. The paradox that triggered Gilligan's concern and study was this: The nature of women has often been associated with traits emphasizing attachment, intimacy, caring, etc. Yet these are the very traits that signify a deficient—because less than impartial—moral development for one who thinks in Kohlberg's terms.

At her best Gilligan discerns two ways of thinking morally, each of them important, neither necessarily superior to the other. These are an "ethic of justice" and an "ethic of care." The former emphasizes rights, equally shared by all, whether near or far. The latter emphasizes a contextual mode of judgment, bound to the particulars of time and place. These are, she says, "two different moralities whose complementarity is the discovery of maturity." Or perhaps, we might add with Lewis in mind, the discovery of a good marriage.

In a somewhat similar vein Carol McMillan suggests that our tendency to think of reason only in terms of universal abstract cognition has ignored or failed to appreciate the more characteristically feminine way of reasoning—one that does not picture affection and emotion as irrational (*Women, Reason, and Nature: Some Philosophical Problems With Feminism*, 1982). We have tended to use a term like "intuitive" to describe such reasoning, suggesting thereby a certain immaturity or undeveloped character. By contrast, McMillan argues that to call knowledge intuitive is only to focus attention on the way in which a particular set of facts strikes a particular person. It does not imply that there has been no process of thought involving sustained effort. It simply emphasizes a kind of learning that happens in a distinctly individual—rather than universal—way. And she argues, in turn, that it is very important that women should think and learn to think in this way.

> It is crucial that, for the most part, women are taught to think at the level of the particular and the affective because the relationship between mother and child is a relationship between two individual human beings. The mother loves her child (or is expected to) simply because it is her child, and equally the child loves its mother (or is expected to) simply because she is its mother. And however primitive or instinctive the relationship between mother and child may seem to us, it never occurs automatically. If the conceptual background and the affective surroundings that make it both possible and intelligible for a woman to take up an attitude of love towards her infant are not present, there will be no such love. . . . Deep maternal love is a possibility for many women in our society only because of the way we think and act in all sorts of other situations.

Whatever their differences, Gilligan and McMillan are alike in this way: They do not respond to male domination by asking—or demanding—that women learn to be like and think like men. Neither do they argue that, since male ways of organizing human life have exacted so great a price, it is good to think like a woman, however undeveloped or irrational such thought may seem. Rather, they affirm two ways of thinking in their respective otherness *and* complementarity. Benjamin Barber, writing in *The New Republic* (July 11, 1983), has described five premises of such thought:

(1) It holds that men and women are biologically differentiated in ways that condition our moral development and social institutions. These cultural distinctions built upon biological differentiation are not wholly inevitable, but neither can they be eradicated.

(2) These differences are, in fact, "life-enriching" and should be cultivated.

(3) Androgyny is undesirable in its "homogeneous uniformity."

(4) Women's special connection to "generativity, nurturing, and affection" gives them "a unique appreciation of (and responsibility for) the ethics of caring and of affiliation indispensable to the preservation of a civilization."

(5) The quest for justice should not be a search for symmetry. "Instead, ways must be found to preserve (or create) political and economic equality in the face of differing social roles, distinctive gender needs, and contrasting, if (ideally) complementary approaches to moral development and reasoning."

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It is, of course, improbable that either Gilligan or McMillan would be greatly attracted to the language of headship within marriage. Nor do I know that either would think of commitment to lifelong fidelity as basic to the marital bond and related to headship in the way it is for Lewis and Thielicke. Nonetheless, it is striking to see the congruence of their arguments with what I have termed Lewis' rather wooden suggestion. They put some flesh on the bones of that suggestion, making it seem less like an example of misogyny and more like an insight.

All this should not blind us to the dangers in Lewis' approach. I recall the frustration I experienced the first time I read Karl Barth's discussion of marriage (and headship) in Volume III/4 of his *Church Dogmatics*. Many have been frustrated by that discussion, of course, but for most the frustration arises simply from Barth's insistence that there must be headship—an "order" of "preceding and following" in the relation of husband and wife. For me, however, the frustration was that Barth should insist on the necessity of such order but refuse to say anything concretely about what the order should be like. To be sure, the husband precedes; the wife follows. He imitates the attitude of Christ; she the attitude of the community. But Barth will at ~~once~~ add, "In carrying out this imitation, which of the two cannot be described as both preceding and following?" There must be this order; yet it seems Barth can say almost nothing about its form or shape.

It is, of course, hardly likely that Barth was too timid to set himself against the current of opinion growing already in his day. The hesitation is, I think, grounded elsewhere: in Barth's rejection of "every phenomenology or typology of the sexes," even those he personally found rather persuasive. Such rejection is, in his view, required if we are to remain open to the divine command. Any typology of gender roles within marriage would seem to enable us to specify in advance appropriate activity for husband or wife—thereby undercutting the freedom of the Divine Commander.

I am inclined to put the matter somewhat differently. Any such typology will be grounded in our embodied nature, and we have already granted the importance for Christian thought of taking seriously that embodiment. But the human being is not only finite body. We are also free spirit—with a freedom that is constantly transcending old limits and adding new and unforeseen contours to human life. We are nature—but also history. Christian thought must always struggle to hold the two together, lest it should fail to affirm the wholeness of our created being. This means, when thinking about sexuality, that we should trust that the meaning of our life as masculine or feminine cannot be severed from our creation as biological male or female. But it also means that our respect for human freedom should make us hesitant to affirm too quickly—whether with Lewis, Gilligan, or McMillan—many limits on the historical permutations that gender distinctions may take. To that degree one might say with Barth that "we can here only ask questions to which ethics can give no answer in advance."

This suggests that we ought to consider the other attempt—by Thielicke—to make sense of the headship requirement. He affirms the headship of the husband but, unlike Lewis, without making any claims about its appropriateness based on traits ascribed to men and women, claims which our historical freedom might one day make obsolete. Yet he does not entirely sever nature and history, as if freedom without limit were the sole truth about human beings. He is willing to consider that there might be a limit which we can in our freedom surpass but, in order to remain faithful to our created nature, ought not.

For Thielicke even more than Lewis it is clear that the importance of headship lies only in its relation to lifelong fidelity in marriage. He reserves the exercise of such headship for those borderline cases when it is needed for the marriage to survive. In such moments agreement is needed, and headship provides the means to it. But we may still want to ask again, why should the headship be the husband's? Not for Thielicke at this point any claims about masculine and feminine ways of being or reasoning. Maybe they are well grounded; maybe not. They need not, as we have seen, imply any inequality between husband and wife; yet we quite easily turn them into superior and inferior ways of being, into capacities that make the husband somehow more deserving of headship. For Thielicke, by contrast, it is very clearly not a matter of capacity or qualification. It is, rather, "the tradition of Christendom based upon the Holy Scriptures." That is all there is to be said for the husband's headship—though, of course, for Christian conscience it is a great deal indeed.

It is worth our seeing one great strength of this view. The husband's headship is not grounded in any superior or distinguishing traits or capacities; rather, it is simply the exquisitely arbitrary burden of office. Precisely in this arbitrariness it sets us free from false typologies of masculine and feminine. Men are not more qualified to exercise headship. It is just that—needing consensus in faithful marriage, but finding no guarantee of it—God tapped man and said, "You do it." It is rather like a point Chesterton once made not about marriage but about kingship.

> Next to a genuine republic, the most democratic thing in the world is a hereditary despo-

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> tism. I mean a despotism in which there is absolutely no trace whatever of any nonsense about intellect or special fitness for the post. Rational despotism—that is, selective despotism—is always a curse to mankind, because with that you have the ordinary man misunderstood and misgoverned by some prig who has no brotherly respect for him at all. But irrational despotism is always democratic, because it is the ordinary man enthroned. . . .
>
> Hereditary despotism is, then, in essence and sentiment democratic because it chooses from mankind at random. If it does not declare that every man may rule, it declares the next most democratic thing; it declares that any man may rule.

To see Thielicke's view in this way is to see that he too—despite the simple appeal to authority—is attempting to make sense of headship. But his view is also not without costs. Precisely by grounding his explanation of headship in simple appeal to authority, he loses much of the richness in relationship, the complementarity in interdependence, that one can read into the view of Lewis. Risking less in his discussion of headship, he may also gain less.

In any case, in these two illustrations we can see both the promise and the problem of attempts to take seriously headship within marriage. By now it should at least be clear what is at stake in the concept. It offers a way of trying to live the differences that mark our fellow-humanity within the communion of marriage—to permit those differences to enrich and help preserve the bond without reducing it to a contrapuntal union of interchangeable persons. Not to see this is to miss the point of the concept. Articulating a vision of headship (whether in Lewis' or Thielicke's manner) is a way of saying that the marriage bond is not simply a means to individual self-realization. It is a way of saying that the liberal individualism which has served—and, in my judgment, continues to serve—us well in the political sphere is not as appropriate within the bond of marriage. Even "equality" is a quantitative term, and therefore the love that nourishes marriage may better be characterized in terms of mutuality—the giving and receiving, in countless different ways appropriate to the differentiation that marks our humanity, of mutual submission to each other out of reverence for Christ.

In a sinful world, a world in which women flee for shelter to escape another battering by their husbands, we do well to keep clearly in mind that husband and wife submit to each other, as Ephesians puts it, "out of reverence for Christ." Barth quite rightly emphasizes that, in seeking to find and fill their different roles within the marriage, husband and wife submit not so much to each other as to the order itself—that is, to Christ. Submission is out of place where there is no serious attempt on the part of husband and wife to nourish a mutual spirit of giving and receiving within their communion.

This means, perhaps paradoxically, that those most willing to accept the order of Ephesians 5 are least likely to have to appeal to it. For in a good marriage the focus and emphasis will not be on headship but on faithfulness. Those spouses who are antecedently committed to a permanent bond will take as part of their task fostering the differentiation that marks our fellow-humanity. Perhaps for some the understanding of that task which seems to be presupposed in Ephesians may lack appeal. For them the contrapuntal vision of Sayers can be recommended as an alternative vision—to see whether a union of interchangeable persons really is the meaning of marriage. Perhaps over time they and we will learn from their attempt. But perhaps it will turn out that Sayers' vision does not capture the full richness and meaning of the harmony of marriage, does not sufficiently heal the wound of our individuality within a faithful bond of those who are different—and is not, therefore, adequate to sustain the call to permanence in marriage.

In any case, for Christian spouses who understand marriage as a sphere in which we begin to be trained in the meaning and discipline of fidelity, marriage will be understood as a task. Committing themselves to lifelong union, they must learn in the countless ways appropriate to different marriages the meaning of our fellow-humanity, the hard work of being faithful in the whole of life to one who is not just an-other person but who—within this marriage—remains "other." C. S. Lewis came to marriage late in life, long after writing the passage I have cited above. But he was able to say, after the death of his wife, what commitment to that bond made possible. He wrote in *A Grief Observed* (1966):

> We did learn and achieve something. There is, hidden or flaunted, a sword between the sexes till an entire marriage reconciles them. It is arrogance in [men] to call frankness, fairness, and chivalry "masculine" when we see them in a woman; it is arrogance in [women] to describe a man's sensitiveness or tact or tenderness as "feminine." But also what poor, warped fragments of humanity most mere men and mere women must be to make the implications of that arrogance plausible. Marriage heals this. Jointly the two become fully human. "In the image of God created he *them*." Thus, by a paradox, this carnival of sexuality leads us out beyond our sexes.

To begin this work of correction and transformation is a task at the very heart of the marriage bond. FT

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Ludwig Wittgenstein Confesses

Edward T. Oakes

Along with Martin Heidegger, Ludwig Wittgenstein is generally considered to be one of the two greatest philosophers of the twentieth century. But as with the field of twentieth-century philosophy itself, Wittgenstein has never seemed to be a very accessible thinker to the nonspecialist. Those, it seems, whose education has left them innocent of the arcane technicalities of mathematical logic and linguistic philosophy need not apply.

The recent biography of Wittgenstein by the philosopher of mathematics Ray Monk, however, goes far to meeting this difficulty (*Ludwig Wittgenstein: The Duty of Genius*, 1990). Not only is it a riveting portrait of a philosopher who himself exercised an absolutely mesmerizing influence on his disciples (a personal influence that may have been matched in the history of philosophy only by Socrates), but more to the point, Monk's biography handles the technical issues of Wittgenstein's writings with great ease, subtlety, and clarity. Indeed, its greatest success is its impressive ability to set forth the inner development of Wittgenstein's thought from the *Tractatus* to the *Investigations* in a way that allows the general reader to see the full range of Wittgenstein's mind at work.

And how that mind did *work*! When nonphilosophers encounter the writings of philosophy, they are often nonplussed at or downright scornful of the abstruse effort expended in describing what to common sense already seems manifestly clear. But common sense contains within itself enigmas that it often goes to great pains to disguise; and once these dilemmas come to light, thought is provoked. And this beckoning of thought demands tremendous labor, a labor that Wittgenstein never shirked.

> *Denken ist schwer* [thinking is hard]. What does this really mean? Why is it difficult? It is almost like saying, "Looking is difficult." Because looking intently is difficult. And it's possible to look intently without seeing anything, or to keep thinking you see something without being able to see clearly. Looking can tire you even when you don't see anything.

Like Socrates, Wittgenstein focused all of the efforts and struggles of this chosen work on the enigmas of language. But unlike Socrates, he was not after some single, overarching meaning before which all other attempts to define the meaning of a word would have to prostrate themselves. One of his favorite slogans was, "Don't ask for the meaning, ask for the use."

Wittgenstein arrived at this principle, however, only after long struggles down another path, where meaning was to be fixed to the ideal of an exact representation of the "picture" of reality. In his early work, fact-stating discourse is the only ideal language, one to which all others must be subordinated. But in the later work, it turns out that fact-stating discourse is just one way of speaking among many, one type of "language game" alongside innumerable others.

Monk is superbly skilled at describing for the reader innocent of the history of philosophy the various mental highways and byways that brought Wittgenstein to the "language game" theory of his later years. But his book is in no sense some warmed-over dissertation concerned only with Wittgenstein's intellectual development. It is a genuine biography, a full account of his *life*, and one which succeeds brilliantly (in no small part because Wittgenstein's literary executors gave the author full access to his subject's coded diaries and unpublished notebooks).

In reading Monk, one is particularly struck by three features of his subject's life that are not immediately obvious in the *Tractatus* or the *Investigations* (and are certainly not stressed in most philosophy departments): (1) Wittgenstein's deep religiosity; (2) the influence of his Jewishness—fully assimilated though he was—on his life; and (3) his

EDWARD T. OAKES, S.J., *teaches in the Religious Studies Program in the Department of Near East Languages and Literatures at New York University.*

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disdain for the sentimentalities of pacifists and his deep respect for the reality of force and power as constituents of the world.

To those who knew him by the (rather parsimonious) writings published during his lifetime, few philosophers would seem to be less qualified for the Kierkegaardian mantle of a deeply religious philosopher than Ludwig Wittgenstein. And even when his *Philosophical Investigations* finally came out a few years after his death, there seemed to be little indication of any deeply religious feelings on his part. But in 1977 G. H. von Wright published some of Wittgenstein's notebook jottings (under the title of *Culture and Value*), and scholars were astonished not only at the frequency with which religious topics came up in his musings but at the intense seriousness of his remarks on the subject. Although in their aphoristic power these show a deep affinity to Nietzsche's remarks, they startled scholars for a different reason—their fundamental sympathy for religion in general and Christianity in particular:

> Christianity is not based on a historical truth; rather, it offers us a (historical) narrative and says: now believe! But not, believe this narrative with the belief appropriate to historical narrative, rather: believe, through thick and thin, which you can do only as the result of a *life. Here you have a narrative, don't take the same attitude to it as you take to other historical narratives!* Make a quite different place in your life for it. There is nothing paradoxical about that!

These of course could be merely the observations of a particular perspicacious and sympathetic outsider (as to an extent they are). But what Monk makes clear is that Wittgenstein was himself deeply religious, so much so that some incidents in his life often read like an echo from the lives of the saints:

> If I am unhappy and know that my unhappiness reflects a gross discrepancy between myself and life as it is, I solve nothing; I shall be on the wrong track and I shall never find a way out of the chaos of my emotions and thoughts so long as I have not achieved the supreme and crucial insight that that discrepancy is not the fault of life as it is, but of myself as I am. . . . The person who has achieved this insight and holds on to it, and who will try again and again to live up to it, is religious.

And how religious Wittgenstein really was, by his own definition, comes through in a letter he wrote to a friend when his friend mentioned that he had recently been worried about his motives for his own work, whether they were decent and honest motives. Wittgenstein wrote back:

> I did something about which I can tell *you*, because you know me well enough not to regard it as a piece of stupidity. That is, I took down a kind of "confession," in which I tried to recall the series of events in my life, in as much detail as is possible in the space of an hour. With each event I tried to make clear to myself how I should have behaved. By means of such a general overview the confused picture was much simplified. The next day, on the basis of this newly gained insight, I revised my plans and intentions for the future.

Wittgenstein took these efforts at "confession"—as he took philosophy itself—with extraordinary diligence and tenacity. Indeed, for him the two efforts went together, because what gets in the way of genuine understanding for Wittgenstein is often not lack of intelligence, but pride. Thus his aphorism: "The edifice of your pride has to be dismantled. And that is terribly hard work." And pride has to be dismantled not just for the sake of character or in order to be a decent person but because otherwise one could not write decent philosophy either:

> Lying to oneself about oneself, deceiving yourself about the pretense in your own state of will, must have a harmful influence on [one's] style; for the result will be that you cannot tell what is genuine in the style and what is false.

The most remarkable instance of this relentless insistence on ferreting out all of his faults occurred after a quixotic—and disastrous—bout of teaching elementary school in a farming village in Austria named Otterthal after World War I. So ill-suited was he to the almost monkish torment he had set for himself teaching pupils utterly unsuited to the rapier intellect of the scion of one of the wealthiest families in Vienna, and so isolated was he from all friends, that one day legal proceedings were brought against him by the parents of a girl whom he had pulled by the ears and the hair so violently that her ears had bled and her hair had been torn out.

This happened in the spring of 1926. Ten years later, Wittgenstein returned to Otterthal, astonishing the villagers by appearing at their doorsteps to apologize personally to the children whom he had physically hurt. He visited at least four of these children, begging their pardon for his ill-conduct toward them—with some responding generously and others, the girl especially, still bitter about his

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brutality. What is significant about this episode might easily elude an interpreter who is not aware of Wittgenstein's deep sense of the connection between authentic philosophy and confession:

> One can imagine how humiliating this must have been for Wittgenstein. And it might almost seem that the point of humbling himself in this way was precisely that: to punish himself. But this, I think, would be to misunderstand the purpose of his confessions and apologies. The point was not to *hurt* his pride, as a form of punishment; it was to *dismantle* it—to remove a barrier, as it were, that stood in the way of an honest and decent thought. If he felt he had wronged the children of Otterthal, then he ought to apologize to them. The thought might have occurred to anyone, but most people would entertain the idea and then dismiss it for various reasons. . . . But to find these reasons compelling, as I think most of us would, is in the end to submit to cowardice. And this above all else is what Wittgenstein was steadfastly determined not to do. He did not, that is, go to Otterthal to *seek* pain and humiliation but rather with the determination to go through with his apology despite it.

This apology took place long after he had obtained a position at Cambridge under the auspices of several professors there (primarily Bertrand Russell). Perhaps even more indicative of this connection between the dismantling of pride and efforts to develop an authentic philosophy is the series of "general confessions" he insisted on inflicting upon some of his closest friends at Cambridge right before his return visit to Austria. Most found the experience embarrassing or exasperating, either because he would drag someone along to a café while reciting his sins in a loud and clear voice or because he would call up a friend (in this case, Fania Pascal) at an inconvenient moment and insist it was urgent that he see her.

> "If ever a thing could wait," she thought, facing him across the table, "it is a confession of this kind and made in this manner." The stiff and remote way in which he delivered his confession made it impossible for her to react with sympathy. At one point she cried out: "What is it? You want to be perfect?" "*Of course* I want to be perfect!" he thundered.

This particular confession to Fania Pascal is important, however, far beyond the somewhat comic relentlessness with which Wittgenstein went about his shrivings. For it is to her we owe word of vet another confession: his failure fully to admit his Jewishness. Somewhere the impression had arisen (which he had until then done nothing to correct) that he was three-quarters Aryan and one-quarter Jewish, whereas in fact the reverse was the case: of Wittgenstein's grandparents, three were of Jewish descent. And so in accordance with the recently passed Nuremberg Laws, this made Wittgenstein himself a Jew. But what he did not tell Fania Pascal and which she only subsequently discovered was that two of those Jewish grandparents were baptized as Protestants and the third was a Roman Catholic. "Some Jew," she remarked.

This half-confession, it turns out, is more than a little revealing, for in regard to the Jews Wittgenstein was given to some of the most sweeping (and in light of later history, most damaging) generalizations that have ever been visited upon one group, the mildest of which goes as follows:

> Among Jews "genius" is found only in the holy man. Even the greatest of Jewish thinkers is no more than talented. (Myself for instance.) I think there is some truth in my idea that I really only think reproductively. I don't believe I have ever *invented* a line of thinking. I have always taken one over from someone else.

Clearly, Wittgenstein was using his Jewishness as a symbol or foil to hold in check all those faults that would seem to undermine the authenticity of his philosophy and the purity of his style. By reminding himself of his Jewishness, it seems, he was "going to confession," striking his breast and reminding himself of the virtue of humility. Only this can explain the functional role such sweeping generalizations play in his notebook.

> The Jew must see to it that, in a literal sense, "all things are as nothing to him." But this is particularly hard for him, since in a sense he has nothing that is particularly his. It is much harder to accept poverty willingly when you *have* to be poor than when you might also be rich. It might be said (rightly or wrongly) that the Jewish mind does not have the power to produce even the tiniest flower or blade of grass that has grown in the soil of another's mind and to put it into a comprehensive picture. We aren't pointing to a fault when we say this and everything is all right as long as what is being done is quite clear. It is only when the nature of a Jewish work is confused with that of a non-Jewish work that there is any danger, especially when the author of the Jewish work falls into the confusion himself, as he so easily may. (Doesn't he look as proud as though he had produced the milk himself?)

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It should be mentioned that these remarks were set down in 1931 and that even before Hitler took power Wittgenstein had ceased using the language of anti-Semitism (often at its most clichéd, as if in unconscious imitation of what he was saying) as a tool for digging out his pride or expressing doubts about the originality or courage of his thought. Nonetheless, some of these remarks are more than merely peculiar forms of self-abasement, for they adopt at times some very dangerous metaphors:

> Within the history of the peoples of Europe, the history of the Jews is not treated as their intervention in European affairs would actually merit, because within this history they are experienced as a sort of disease, and anomaly, and no one wants to put a disease on the same level as normal life (and no one wants to speak of a disease as if it had the same rights as healthy bodily processes, even painful ones). We may say: people can only regard this tumor as a natural part of their body if their whole feeling for the body changes (if the whole national feeling for the body changes). Otherwise, the best they can do is *put up with it*. You can expect an individual man to display this sort of tolerance, or else to disregard such things; but you cannot expect this of a nation, because it is precisely not disregarding such things that makes a nation. That is, there is a contradiction in expecting someone *both* to retain his former aesthetic feeling for the body and *also* to make the tumor welcome.

Evaluating such "confessions" in the life of Wittgenstein is a difficult business. The vigor and the unpleasant echoes of the biological version of anti-Semitism make one wonder what precisely are the dynamics at work behind such enigmatic jottings. Steven Beller, the author of *Vienna and the Jews: 1867-1938*, takes a rather benign view, saying that Wittgenstein's remarks are "not necessarily negative but may instead constitute a recognition that Jews—including in this context, himself—are different." The reader who comes to these remarks for the first time may question such a mild interpretation, for such biological invocations must surely involve more than the (rather tautologous) statement that Jews are "different."

In any case, after 1931 Wittgenstein stopped making sweeping statements of any kind about the Jews. And we also have his intriguing confession to Fania Pascal that he had not been forthright enough about his Jewishness. What does that mean? That is, does his confession to her represent the last vestige of these characterizations or is it finally the open expression of his desire to proclaim a more open solidarity with his people? In other words, is he once more pointing out how unworthy of attention he is because he is even *more* Jewish than people thought, or is he now openly admitting what he should have acknowledged long ago and what only the Nuremberg Laws have forced out of him?

It seems to me that we must exclude the first option completely (and in this sense Beller's benign interpretation is right): not only does Wittgenstein entirely cease from indulging in any remarks about the deficiencies of Jews as a whole or their parasitic relationship to European culture (however mildly that might be put), but his efforts to secure the freedom of his family trapped in post-*Anschluss* Austria and his remarks on the Nazi regime generally indicate that he had entirely abandoned the pop anti-Semitism of the assimilated Vienna of his youth.

But it is noteworthy also that Wittgenstein did not then go on to express a more open solidarity with his people beyond the acknowledgment of his true family background. In this, as in so many other details, he reminds one of Simone Weil, who herself came from an assimilated and highly cultured Jewish family of gifted mathematicians in France (her brother André became a Fellow at the Institute for Advanced Study in Princeton). Weil too was intensely interested in Christianity without ever subscribing to a Credo or submitting to baptism. Yet her writings on Christianity, as an outsider, show an unusual perspicacity and penetration, so much so that her books have now become a staple of spiritual literature. And finally, Weil too was given to some quite breathtaking sweeping generalizations about the Jews, but this time confined primarily to the Old Testament (which she detested) and mitigated to some extent by her willingness to be just as scathing toward the ancient Romans.

Weil died in London during the war of complications of a fast undertaken in solidarity with her occupied brethren in France, and Wittgenstein died of cancer in 1951. Both, that is, died before Western culture had really begun to face the full impact of the Holocaust; and so we shall never really know what impact the destruction of European Jewry would have had on how either one of them would have later "confessed" their Judaism.

But what we do have to go on in both thinkers is a healthy respect for *power* and a keen realism about what it means to be a defenseless people. Weil, for example, in an essay famous in the world of classicists, "The *Iliad* or the Poem of Force," says of this work:

> The true hero, the true subject, the center of the *Iliad*, is force. Force as man's instrument, force as man's master, force before which human flesh shrinks back. The human soul, in this poem, is shown always in its relation

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to force: swept away, blinded by the force it thinks it can direct, bent under the pressure of the force to which it is subjected. Those who had dreamed that force, thanks to progress, now belonged to the past, have seen the poem as a historic document; those who can see that force, today as in the past, is at the center of all human history, find in the *Iliad* its most beautiful, its purest mirror.

Similarly, Wittgenstein had little patience with the vapid hopes of those who denied hope in God and saw "History" or "Progress" as their ultimate savior, with hypothesized "Committed Action" as the mediator of the Eschaton. The contrast between Wittgenstein and Bertrand Russell is instructive here: while Wittgenstein was fighting for Austria-Hungary in a Hapsburg uniform during World War I, Russell was imprisoned for his pacifist activities in Britain. But rooted in these two stances was a more personal and temperamental difference: between trying to improve the world, and seeking only to improve oneself.

> The war had made [Russell] a socialist, and had convinced him of the urgent need to change the way the world was governed; questions of personal morality were subordinated by him to the overriding public concern to make the world a safer place. When in the 20's Russell wanted to establish, or join, a "World Organization for Peace and Freedom" or something similar, Wittgenstein rebuked him so severely that Russell said to him: "Well, I suppose *you* would rather establish a World Organization for War and Slavery," to which Wittgenstein passionately asserted, "Yes, rather that, rather that!"

In opposing the too-easy moralism of someone like Russell, it seems that Wittgenstein was occasionally driven to extreme methods. His own approach to life could not have been more different. In the midst of the battles of the war on the Eastern front, he wrote down this credo, really the only set of bald, positive assertions we have from his pen about what he actually believed:

> I know that this world exists.
>
> That I am placed in it like my eye in its visual field.
>
> That something about it is problematic, which we call its meaning.
>
> That this meaning does not lie in it but outside it.
>
> This life is the world.
>
> That my will penetrates the world.
>
> That my will is good or evil.
>
> Therefore that good and evil are somehow connected with the meaning of the world.
>
> The meaning of life, that is, the meaning of the world, we can call God.
>
> And connect with this the comparison of God to a father.
>
> To pray is to think about the meaning of life.
>
> I cannot bend the happenings of the world to my will: I am completely powerless.
>
> I can only make myself independent of the world—and so in a certain sense master of it—by renouncing any influence on happenings.

This perspective led him to such amazingly penetrating probings of his own psychology as this:

> Yesterday I was shot at. I was scared! I was afraid of death. I now have such a desire to live. And it is difficult to give up life when one enjoys it. This is precisely what "sin" is, the reasoning life, a false view of life. From time to time I become an *animal*. Then I can think of nothing but eating, drinking, and sleeping. Terrible! And then suffer like an animal too, without the possibility of internal salvation. I am then at the mercy of my appetites and aversions. Then an authentic life is impossible.

Here we see perhaps Wittgenstein's most Jewish side, or at least the side that shows how thoroughly and completely religious he was and would always remain. For here we see in its most pristine form, expressed in the crucible of war, the search—never to be abandoned—for the authentic life. It is what has given such extraordinary density to all that he has to say about religion, and why Christians especially would do well to hear from this intensely prophetic voice what their religion should really mean to them:

> Christianity is not a doctrine, not I mean, a theory about what has happened and will happen to the human soul, but a description of something that actually takes place in human life. For "consciousness of sin" is a real event and so are despair and salvation through faith. Those who speak of such things (Bunyan, for instance) are simply describing what has happened to them, whatever gloss anyone may want to put on it. . . . Within Christianity it's as though God says to men: Don't act out a tragedy. That is to say: don't enact heaven and hell on earth. Heaven and Hell are *my* affair. ☐

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Letter from Jerusalem

Werner J. Dannhauser

To come to Jerusalem from Paris, or even Tel Aviv, is to succumb to the uncanny feeling that one has left the center of the West, or even its periphery, and delved into what used to be called the mysterious East.

In part this is owing to the bar of the Sonesta Hotel, where I'm staying, while attending a workshop on Maimonides and Levinas. Good martinis are hard to find in the Middle East, so I order a gin and tonic from a politely inscrutable Arab waiter, and begin to feel a bit like an official of the British Empire in India or some other colonial outpost. Hawkish by nature, I like the feeling; Jewish by the grace of God, I distrust it. My childish delight does not justify the sentiment, but my disdain for it does not render it ludicrous: Jerusalem retains traces of the British Mandate that ended in 1948. A few streets, some buildings, and at least one neighborhood, Rehavia, hold on to little hints of England. It is not all that hard to find people who remember the British rule over Palestine. One even comes across Jerusalem Jews who look back nostalgically on the years before the Jewish state existed. My father-in-law is among them.

He and other Jews assigned to the amorphous category of "observant" do far more to make Jerusalem exotic than the remnants of colonialism, or Arabs who keep their own counsel in front of Jews. They guarantee high-wire tension of a kind we Americans no longer know well. Some day there will be peace between Arabs and Jews in Israel—or so one prays and hopes. But the conflict about God among Jews will still remain, and may even flare up more strongly once Israel finds itself less endangered, less vulnerable to external threats—or so one fears.

WERNER J. DANNHAUSER *is Professor Emeritus of Government at Cornell University and Visiting Professor of Political Science at Michigan State University.*

2.

A phenomenology of the religiously exotic in Jerusalem ought to begin with the headgear of observant Jews. I am not poet enough to do justice to the theme, nor empirically gifted enough to know how many Jewish males regularly keep their heads covered, but my unscientific survey leads me to conclude that somewhat more than half (more than in the rest of Israel) wear the skull caps called *kippot* in Hebrew (known as *yarmulkes* in Yiddish)—or their equivalents. The equivalents themselves tell quite a story, ranging as they do from somber black hats to a fur contraption called a *straymel* which reminds one of the Russian nobility in wintertime or even now and then of Davy Crockett.

The wearing of skullcaps derives from Jewish tradition rather than Jewish law, to the limited extent that one can distinguish between them; it is not something that is mentioned in the *Shulchan Aruch*, the authoritative codification of Jewish law. I know a few Jews who consider themselves Orthodox but decline to wear them and are prepared to discourse learnedly on their disregard of the practice. Since no fixed and written law circumscribes the usage, one should not be surprised to learn that they come in a wide variety of materials. They are usually black and of plain cloth, but an eminent scholar I know wears one that is brightly colored and embroidered; he is trying to make the custom seem attractive to his young son. The sizes, too, vary widely, from being so small that they cannot be seen from the front, to being so big as to constitute a statement.

The ways of observant women puzzle me even more than the ways of women in general. Orthodox women are supposed to cut off their hair when they marry, but there are fewer Orthodox women who actually do this than there are men who cover their heads. Cutting off one's hair, however, is so drastic

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compared to the wearing of a skullcap that the "heresy" of not doing so need not be considered an act of defiance. Those who do shave their heads resort either to wigs of many colors or to shawls of many kinds. The women all dress modestly, but it is the sort of modesty that turns out to be compatible with flair and even ostentation. Each time I come to Jerusalem, all this teaches me anew that one cannot afford to confuse Orthodoxy with uniformity.

3.

The pious Jews of Jerusalem look and act alike only from the perspective of confirmed secularists. For example, it is not even true that all Hasidim wear stark black suits: some sects appear at the Western Wall (previously known as the Wailing Wall) in blue and white striped outfits.

In the Holy City, I deal mostly with Jews, but the city's other inhabitants vie with them when it comes to exotic apparel. Russian and Armenian Orthodox priests seem to have been transported from another place and time; Muslim clerics sometimes look as though they have stepped right out of a Hollywood production; and European tourists gaze reverently at antique structures from under exaggeratedly wide-brimmed hats. Orientals often appear in "native" garbs, finding Christian sites almost as strange as Jewish ones. Jerusalem is a city in which people dress up for God in astonishingly different ways. Goethe declared in connection with *Elective Affinities* that nature is everywhere the same and hinted that religion is everywhere different. Jerusalem goes him one better: here religion is different even in the same place.

4.

Here the different faiths differ among each other and the Jews differ among themselves. It shows not only in the clothes they wear but in the food they eat. By law, Jerusalem hotels serve only kosher food, except of course for the Arab hotels, so the newcomer may think that food in the city is uniform—uniformly bad. But the cuisine of Sephardic Jews, who do not (as yet) own any big hotels, is much more spicy and Mediterranean than what we think of as typically Jewish.

Nevertheless, it too is kosher. Secularists think of the enforcement of dietary laws as at least annoying and at most as an infringement of their rights. One wonders what Assistant Secretary of State Lawrence Eagleburger felt when, during the Gulf War, the King David Hotel here denied him his customary breakfast of bacon and eggs, but whatever he felt, he elicited the sympathy of a great number of Israeli citizens. Never mind that pork products are available in stores and meat in cream sauce is featured in many thriving restaurants away from the hotels—also shrimp, crabmeat, eel, and other tempting delicacies. The prevalence of the dietary laws does not mean that they rest on a consensus beyond discussion, if only because nothing is beyond discussion in this garrulous land. Disputes abound. The prevalence satisfies most observant Jews, and even some people like me, who approve of being surrounded by *kashruth*, of being led toward the Law, as it were, so that casually having a bite to eat entails obedience to the Torah. At the same time, it irritates most secularists, and even some observant Jews like Professor Yeshayahu Leibowitz, who advocates a strict separation of church and state so that a pure faith may prosper. *Kashruth* in Israel generates both humorous acceptance, as when pork is called by the euphemism "white meat," and no small amount of polemics.

Thus a *kippah*-wearing government official explained to a group of visiting Americans, "If I keep kosher you can still eat at my house, but if you don't, I can't eat at yours." My friend Brenda, a staunch supporter of Israel, if not of food in Israel, reported his remarks to me derisively. Peaceable and cowardly, I did not retort that the official had made a good point. Emil J. Fackenheim, the noted theologian and a Reform rabbi, argued in similar fashion when he stated that he kept a kosher household so he could be hospitable to observant Jews. By contrast, when Fania Scholem, the widow of Gershom Scholem, is asked where she would like to dine, she is wont to reply, with a glint in her eye, "Any place that's not kosher." In Jerusalem, even meals constitute theologico-political arguments.

5.

My dear friend Marion Magid of *Commentary* magazine and I have drinks with an American couple. He too is here to attend a workshop, and they have brought along her mother and their son. Both father and son wear skullcaps. We discuss our several families and how when we come to Israel we never seem to do justice to cousins residing there. Naturally, family ties abound between American Jews and Israelis. Some tangled family relationships are typically Jewish only in folklore or in the lore of anti-Semitism: I know "Jewish mothers," for example, who are Italian Catholics. But the idea of *mishpacha*—family—still binds Jews together mightily, more than a hundred years after Nietzsche praised us for the reasonableness of our marriages. (We've learned a lot about adultery, divorce, and even odder practices since then.) Observant and secular Jews alike are likely to offer a one-word explanation for an onerous duty or faintly illicit act they undertake; the beneficiary is *mishpacha*. We no longer honor our fathers and mothers

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enough, but we still feel bad about our failure to do so.

6.

Families are never abstract, so let me not write about my mother-in-law but rather about *Savta* (grandmother), which is the way my children address her and what my late wife and I called her after their birth. I tell the Lichts stories about *Savta*, stories Marion has heard before but lovingly adorns; she knows *Savta*. She is a seventy-odd-year-old woman, my mother-in-law, frail and tiny almost beyond belief, but also dynamite. Fanatically Orthodox, she is nevertheless a kind of feminist, a woman who went against the grain of her surroundings and many of her own inclinations to secure a secular education for her only daughter, Shoshana, my wife-to-be. So Shoshana learned to love "white meat," left Israel for the United States, and married a Western ignoramus, me. She died of cancer a few years later, in 1973, and *Savta* has never gotten over this, partly convinced that God has punished her for abandoning her daughter to the *goyim*.

The story illustrates a dark side of ultra-Orthodoxy. *Savta* thinks that mothers of large families should not divulge the number of their children, lest an evil spirit snatch one of them away. She "knows" that a glance at a bottle of wine by a non-Jew will desecrate it, and that conversion does not suffice to make somebody really Jewish (*pace* the story of Ruth and her descendant, King David). She observes the dietary laws so scrupulously that she shudders at the very idea of eating in a restaurant.

My friend Bob, who keeps kosher himself, opposes such rigidity, and seems to oppose it more strongly than I do, for I see something charming (may God forgive me my aesthetic heresies) about unbending subservience to the yoke of the Law. His opposition reminds me, irrelevantly I think, of the way Social Democrats used to react to Stalinist abominations in my youth. Later on, however, thinking back on our conversation, and realizing yet again the intractability of the so-called "religious question" in Jerusalem, I also speculate on what seems to me the only possible resolution. It lies in the possibility that the Orthodox will learn to cope with the ultra-Orthodox. Waiting for that time to come, to be sure, may be like waiting for the Messiah—steady work.

7.

The religious scene among Jews is not simply one of unrelieved conflict, but also comprises areas of harmony, as anyone knows who has ever spent a Sabbath Eve in Jerusalem. On Friday afternoon the stores and offices empty out as the cafés fill up. Then the cafés empty as well, and a hush descends slowly, softly on the city, punctuated by prayer calls coming from the minarets; Muslims end their Sabbath as Jews begin their own. Buses vanish from the streets as pedestrians reappear in festive clothing. The hush deepens; it becomes holy. The air collaborates with twilight to manufacture serenity. The city rests and those who do not have intimations of God's proximity at least have a deep sense of history as they gaze at David's city in the dusk. I tell Marion that I believe Jewish history is in itself a proof of God, and here, on Sabbath Eve in Jerusalem, she, a skeptic, does not for once mock my words.

8.

Secularists and believers alike revere the Sabbath peace of Jerusalem. That peace involves the absence of public transportation, but as far as I can tell the opposition to that is not making headway year by year, even among socialists who rightly observe that the unobservant rich can take taxis while the unobservant poor must stick close to home. The Orthodox have won this fight, and I think the most intrepid atheist gets a payoff from the Saturday quiet that informs Jerusalem.

But the harmony goes only so far. Some tourists complain about the difficulty of finding a place to eat on the Sabbath, though there is always the rather charming YMCA café-restaurant right in the center of town. And while God rested on the seventh day, Jews keep up their quarrels. The focus of recent disputes has been the movies. In Jerusalem, they have traditionally been closed on Friday nights. This amounts to a real hardship for many, since Friday is the one night of the week not followed by a working day, and since Israelis are passionate moviegoers. They enjoy their movies even though a considerable part of the screen must be devoted to Hebrew and Arabic subtitles, as well as English ones if the film being shown is a European one.

Jerusalem used to confine that enjoyment to six evenings a week, but the secularists have successfully challenged the status quo. The Cinemateque, an art-film house, remains open on Friday nights, allegedly because its programs have "intellectual content." So if a pundit can be found to get up and speak for five minutes on, say, comedy as an important genre in American films, the audience can proceed to enjoy *Some Like It Hot*.

I love that film but I love the status quo even more. It pains the pious to have the Sabbath violated that way, and it seems to me that their pain exceeds even the pleasure to be derived from watching Marilyn Monroe. In a public meeting on the subject of "What Is a Jew?" I voice a plea that the observant and the nonobservant learn to accommodate each

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other. My modest proposal that the secularists come to terms with a closed Cinemateque on Friday nights draws not only hoots of derision from part of the audience but a gesture of contempt from the attending Mayor of Jerusalem, Teddy Kollek.

9.

I admire Teddy Kollek. I may pray for the peace of Jerusalem, but he has labored ceaselessly to secure it. Moreover, I may talk a good game of accommodation with the ultra-Orthodox, but he must deal with their refusal to budge on almost anything. I am treated with astounding delicacy by my Israeli family, but as part of his job Kollek daily collides with ultra-Orthodox intransigence and rudeness.

I know all that, and in my small way I am evenhanded in my suggestions for compromise. I raise my feeble voice to tell ultra-Orthodox Jews I know that they simply must yield on certain issues, especially on what may be the touchiest issue of them all, deferment from military service.

The exemption of the ultra-Orthodox came about as a part of a compromise engineered by Ben-Gurion at the beginning of the state's existence. By now, it is enshrined as part of the status quo, but it goes down hard with the majority. The average Israeli's life includes "universal military service" as a matter of course, and it offends patriots of all persuasions to witness such large-scale exemptions. Opponents of Likud find them especially obnoxious.

In an Arab restaurant, I talk to a couple who are forthrightly left-wing; he is a high school teacher, and she practices psychotherapy. We exchange our different and differing opinions peaceably, but the psychologist hovers on the edge of anger when she speaks of the dread of exposing one's children to danger in the armed services while a greater percentage of Likud voters than left-wing Israelis shirk their duty. I do not know the figures but I have no reason to doubt her veracity, and I have no defense of my pious brethren to present.

10.

The charge does not render my pious brethren speechless, to be sure. Some will shrug, for they do not care about preserving the state of Israel, viewing the latter as an abomination in the sight of God since it was not ushered in by the Messiah. A few of my family's neighbors approve of Rabbi Hirsch, who went to the Madrid talks to give aid and comfort to the Palestinians and who agrees with the PLO's fulminations against the Zionist entity.

But my own family recognizes the legitimacy of the Jewish state. They may even think that their community harbors some pretenders who should be drafted because they are not truly pious. I'm not sure, because it is not a topic one can discuss openly with them, but I suspect that is how my brother-in-law Asher feels, and he is a yeshiva scholar and a most articulate man.

Asher fervently believes that the state he reluctantly acknowledges exists by virtue of God's grace and draws its strength from obedience to His law. The observant Jews of his yeshiva and kindred institutions study that Law, glorify it, explain it to the less learned, transmit it from generation unto generation. They also pray; their study *is* prayer. They beseech God to have mercy on His sinful people; they thank Him daily for keeping His covenant with that people even though that people persists in breaching *their* covenant with Him. They implore Him to stay His hand. Hence in his view they do more than armies can to preserve the state. One reads in Psalms 20 that "Some trust in chariots, and some in horses; But we will make mention of the name of the Lord our God." Asher delicately—he is most polite—points to the limits of my faith in not wishing to grant military exemptions to the ultra-Orthodox. He is right. I do trust a good deal in chariots and horses.

11.

Whenever I visit Jerusalem I spend time in Mea Shearim, the most famous ultra-Orthodox quarter. My wife's family has now moved to a somewhat "better neighborhood" (upward mobility), but Mea Shearim is still the heart's core of the "hard-core pious." It luxuriates in a myriad number of yeshivas from which comes a deafening noise of male voices in study, prayer, song. Since I look like what I am, an American Jew, I am constantly approached by black-coated men oblivious to the summer heat who force on me details of worthy causes demanding of my financial support. I wander into dingy shops and among stalls heaped with fruits and vegetables. Sallow-looking children dressed for a different climate jostle me and busy women avert their eyes from mine. Some American friends confess to me that they hate coming here because they feel revulsion and the feeling bothers them. I don't share their views, being strong on the sentiment that *kol yisrael chaverim*—all Israel are comrades. I feel as though I am surrounded by Jews, and I like the feeling.

But I cannot help noticing the slogans on the walls, in English for my benefit. In their protest against political Zionism they regularly compare Israel with Nazi Germany, and they make my skin crawl.

12.

Every summer in Jerusalem I spend at least one Sabbath with my brother-in-law's family. They live in Unsdorf, an ultra-Orthodox suburb not within

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walking distance of the downtown hotels, so this Sabbath visit is quite an undertaking. It means that well before sunset on Friday afternoon, I must check into the Hotel Tamir, close to where he lives, and spend the next twenty-four hours there. From sundown to sundown all the services are shut down and the telephones disconnected. Lights and air-conditioners in the rooms go on automatic pilot with the setting of the sun, and the bathrooms feature pre-torn toilet paper. On the nightstand between the single beds one finds a faceless head which I first took to be an unusually poor abstract sculpture of Queen Nefertiti. It turns out to be a place for married women to park their wigs during the night.

Oddly enough, I do not feel as out of place at the Hotel Tamir as one might think, for the simple reason that most of the guests hail from the United States and Canada, come like me to visit strictly Sabbath-observing relatives. I hear English all around me, and the expected noise of children, though the children are more somberly dressed than mine ever were. I am usually the least observant Jew in the hotel, and each year I realize anew that Orthodoxy is a leading export from North America to Israel. When I visit my relatives in Unsdorf, it is not unusual for me to be introduced to young neighbors who have emigrated from America. They like to reminisce about New York, New York, that wonderful town, but they are thinking of the Jewish enclave of Williamsburg when I am thinking of the lights of Broadway.

13.

Sabbath at my brother-in-law's house. I arrive early, so that I can still take the elevator to his spacious fifth-floor apartment. He has gone off to pray, leaving my sister-in-law to light the candles: women's work. Afterwards, I sit on the balcony savoring the short dusk, breathing air cooled by hills, playing with the younger contingent of Sarah's eight children. "Many women have more," she says when I express appreciation for her labors. Soon the males return home from their prayers.

The rituals begin. Asher dons an elegant robe and proceeds to bless his children one by one, covering the heads of his daughters who have come of age with a napkin so as to avoid direct physical contact with them.

The three-hour meal is enlivened by much singing. Only the men sing, but talking is for everyone. My mother-in-law sits next to me, subtly putting down her daughter-in-law throughout the meal. On the whole, it is a rather jolly evening. One can talk about anything one talks about at an American family dinner (at least before post-modernism hit the scene). In fact, my brother-in-law draws me out on a number of worldly themes, "honoring" me as a traveler from sinful regions. He asks as usual how Israel strikes me this year, and this year as usual I tell him how disturbed I am by the nasty things the religious and the nonreligious are saying about each other. He replies, "They are both right," and we have a good laugh about that.

Asher is reasonable in many ways, strange to say. He would never spend his Sabbath throwing rocks at cars driven by Jews, though such violence is perpetuated by people he knows, possibly by some of his friends. Like everyone else, he knows people who are more extreme than he is. I am reminded of a talk I once had with my uncle (by marriage) Shayeh of blessed memory, an extremist by almost any standard who called himself the "foreign minister" of Neturei Karta, the sect that dominates Mea Shearim. The "foreign country" he dealt with was Israel. Uncle Shayeh gave me a guided tour of the Western Wall once. I noticed a group of strange and strangely dressed Jews praying fiercely, facing the Wall but standing about fifty feet away from it. I asked him why they kept such a distance. He told me they feared that the Wall might have shifted over the years, and they did not wish to stand on what might be sacred ground. Uncle Shayeh had contempt for them and informed me that if there was anything he hated, it was a fanatic.

A silly story, yes, but it has a moral. In this tormented land the only hope for even an uneasy truce may hinge on everyone's trying to deal with and moderate his more extreme compatriot.

14.

Sabbath with my Tel Aviv friends is a different kettle of fish. The lavish meal is likely to include pork and is served on a patio. Up to twenty-five people come in the casual attire that is a trademark of secular Israel: shorts, jeans, T-shirts. (In Israel I wear a tie only when visiting my relatives.) No candles are lit, no bread is blessed, no wine is sanctified, and no holds are barred during conversation. On this particular occasion someone mentions the sequel to *Gone With the Wind*, and we wonder about the amount of sexual explicitness it contains. My relatives, I am certain, have never even heard of the original. My mother-in-law, trying to impress me once, told me that her son Asher had once read a book by Winston Churchill.

When everyone is fed and overfed, and after the inevitable political argument (my friends in Tel Aviv are all doves) the evening turns musical. The family and guests are all proficient on various instruments and they all know how to sing. Son-in-law Avner not only plays the piano but likes to mimic whole operas. Festivities go on until Yael, the woman of the house, throws everyone out.

What does all this have to do with Judaism?

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Sentimentally, I try to find connections: the strength of family life, the welcoming of a day of rest, and always in Israel, the ineffable Sabbath atmosphere. Sappily, I succeed in finding a hint of holiness here, and I note that even at Kibbutz Urim, where I have American friends, and where no synagogue can be found and where piety is mocked, the Sabbath meals cause me to feel that Someone or at least Something is being celebrated. And once more I think of Dostoevsky, and do not find entirely crazy his observation that there are no Jewish atheists.

15.

Sabbath at the Western Wall differs yet again. Actually, I prefer it on weekdays, when more people come to pray and fewer come to watch others pray. "People" here means mostly men; the women form a distinct minority, and are segregated from the men, confined to a small, zoned-off portion of the Wall. On those days, I put on phylacteries or let one of the pious Jews in attendance put them on me. One easily finds such volunteers, who consider it a duty and a privilege to turn bad Jews like me into better ones (though occasionally, when one is in a hurry, it can be a bit troublesome to ward off these guardians of the soul). Wearing a prayer shawl as well as phylacteries, I kiss the Wall and pray alone, or else I join a *minyan* of nine or more fellow Jews to pray in a group. Then I agonize about what to give or refuse to the many beggars in my path, and take a cab back to the world of luxury hotels, dairy breakfasts, and the *Jerusalem Post.*

They say the Wall is never without its praying Jews; I've been there at all hours and have never been alone. But the mass crowds are confined to "special events" like Sabbaths and holidays, when the press against the Wall is so great it can be hard to find an unoccupied patch of stone to touch or kiss. On such days, the Wall is also a meeting place for relatives and fellow tourists. This past summer I struck up an acquaintance with a young Christian family from Germany, come to do penance in as unobtrusive a way as possible. I discovered their nationality only when the mother spoke in German to curb her young son's boisterousness.

On festive days, I stroll around. The top of the Wall frames a big square containing Jerusalem's two great mosques, the Dome of the Rock and *El Aksah.* At the bottom of a path leading there a sign forbids observant Jews to venture onto those forbidden grounds. I ignore it. In recent years access has been blocked by Israeli soldiers on account of the *intifada,* but last summer in Jerusalem I once was let through to walk peacefully among Muslims. The peace I found came courtesy of the soldiers and policemen everywhere in evidence. In Jerusalem, freedom to worship is secured by guns, mostly submachine guns.

16.

When I'm at the Wall, it intrigues me endlessly, and when I'm away from it, whether in Tel Aviv or East Lansing (where I write these words) it haunts me. Both Jerusalem sunlight and Jerusalem darkness—each unique—have seared my memory of it. I remember the shape and texture of the stones, the crevices between them crammed with *zettlach,* slips of paper with supplications written on them. I remember the urge to peek at those messages to Heaven, and my abiding fear of reading God's mail. Etched on my mind are the soldiers who sit on top of the Wall, and those who patrol the plaza below, most of them so very young and many of them full of innocent exuberance. I remember the caverns to the left of the Wall, where the real praying action takes place, with black-garbed men who pray fiercely interspersed with white-garbed Jews who stand rigid, their trance accentuated by tightly shut eyes. And I remember the recurring thought I have when I take a last glance backward at the Wall from the square where taxis and buses wait: I gaze at the Wall and think of Hegel, of all people, a wise man, though hardly a man enamored of Judaism. He said that the Greeks faced the sea while the Jews looked away from it into the desert, and he was right: when one stands by the Wall it is hard to imagine that the Mediterranean is less than an hour away by car. Hegel also said that Judaism was a peculiarly abstract religion and he was partly right again: the closest thing one finds to a great cathedral is a blank wall.

17.

Autumn is icumen in and the time comes to leave Jerusalem. I usually splurge on a cab to Tel Aviv. My friends Gedon and Yael live near the airport and I like to spend my last night in Israel with them.

The ride to Tel Aviv gives me a final chance to talk to a cabbie, a member of a class that acts as comic chorus for most of us tourists as well as providing us with some access to the proverbial man in the street. (My friend Marion is highly susceptible to the charm of Israeli cabdrivers, collecting their business cards and *apperçus* in a sort of one-woman Harris Poll.)

My impression is that more of them vote for Likud than for Labor. But on the whole, their position is somewhere between the polar opposites I meet in Israel, between my mother-in-law, who draws on the quarrel between Jacob and Esau to analyze current events, and lovely Dalya, distinguished translator of Hebrew literature into English, who was brought up to revere Marx instead of the Bible; between my friend Joseph Ben Shlomo, whose hawkishness turns off most of my other friends, and

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Laami, the poet of Kibbutz Urim, for whom fascism begins just to the right of her. Some of the cabbies are surprisingly moderate, displaying the Jewish virtue of *sechel*, also known as horse sense, while others represent that significant phenomenon of all liberal democracies, the man who neither knows nor cares.

Most of them live decent and honorable lives, as do most of the people I meet in Israel. The people of Israel lives. It is easy for me to forget that in the midst of the daily spectacle of Jews at each others' throats about matters both trivial and profound, but mostly about profound matters like God, and it is easy to forget it too amidst daily reports in Israel's self-critical press of strikes and graft, silliness in the Knesset, the latest terrorist attack, and the crisis just ahead at the latest international conference. But then I think, again and again, of the Psalmist's words (118:22-23), "The stone which the builders rejected is become the chief corner stone. This is the Lord's doing; it is marvelous in our eyes." As the cab continues on its way, I tune out the driver's friendly words and look at the hills that accompany one's descent to the coastal region. It is easy for me to think of Israel as a light unto the nations when I come from Jerusalem. FT

Trespassers

Half a day's detour to Gran Quivira—
and we arrive, near sunset,
to find a locked gate across the road.
We climb the fence and leave exact change
for maps of the ruins. A sign warns
of rattlesnakes that shelter in
the deep, open rooms and crumbling walls
of the ancient Spanish mission and,
predating it, a pueblo, now excavated.
Twenty unexcavated mounds surround us
on the ridge. Without a guide, we do not
ask what pestilence, what drought,
disease or war drove the living
from this place. Perhaps we do not walk
with proper awe. Tourists in a state
pocked with extinct settlements,
we are dulled to absence, to abandonment
of landscape to the sky. Still
we are astonished that the light
so rapidly diminishes, leaving us
pathless, surrounded by open pits,
sherds and murmuring brush.

Diane Bonds

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Books In Review

Character and Poverty

POVERTY AND COMPASSION: THE MORAL IMAGINATION OF THE LATE VICTORIANS. BY GERTRUDE HIMMELFARB. *Knopf. 475 pp. $30.*

Reviewed by **Jerry Z. Muller**

GERTRUDE HIMMELFARB'S *The Idea of Poverty: England in the Early Industrial Age,* published in 1984, examined the debate on poverty in British thought from Adam Smith's *Wealth of Nations* of 1776 through the mid-nineteenth century. The book was remarkable for its scope. It followed debates about the nature and causes of poverty through the realms of political economy, politics and pamphleteering, legislation, literature, and journalism. Its successor, *Poverty and Compassion: The Moral Imagination of the Late Victorians,* is more tightly focused chronologically and thematically. It deals with the most significant attempts to delineate the nature and extent of poverty and the solutions offered from the 1880s through the social legislation of the years preceding the First World War.

Once again, as in Himmelfarb's previous works of intellectual history, we are transported into a time and place far from our own, yet not so far as to be entirely unfamiliar, and allowed to converse—skeptically, but without condescension—with serious men and women about the most serious issues. She is one of that small band of academic intellectual historians still writing for that mythical beast, the intelligent general reader. The clarity and precision of her style mirror the qualities of her mind, and though in the text she wears her learning lightly, the weight of her footnotes displays that most Victorian of virtues—industry. Himmelfarb chronicles the burst of late Victorian reformism with great empathy, though her tone is more skeptical than celebratory. Her skepticism begins with the "rediscovery" of poverty in the 1880s—which she shows was unrelated to actual economic trends—and extends to recent historians who she believes have mischaracterized the aims and claims of some of her leading protagonists.

For intellectual historians of Victorian England, the issue of the relationship between morality and religion comes with the territory. Himmelfarb has dealt most concisely with the topic in her essays "The Victorian Angst" in *Victorian Minds* (1968) and "The Victorian Trinity: Religion, Science, Morality" in *Marriage and Morals among the Historians* (1986). But the theme runs through many of her works, from her first book on Lord Acton, through her study of the origins and consequences of the Darwinian revolution, and now again in *Poverty and Compassion.*

IN THE LATE Victorian age, she shows, Christianity was reinterpreted as morality, morality was transformed into a Religion of Humanity, and compassion became a science. The obsession of Victorian intellectuals with morality, she writes, was fueled by religious doubt: their inability to embrace what they knew to be the traditional source of morality led them to overcome their doubts by proving that post-Christian morality was indeed possible. Far from leaving them morally enervated, the Victorians' crisis of faith left them with "a conscience that was called upon to do what religion no longer had the authority to prescribe and what utilitarianism refused in principle to prescribe." Charles Booth, the businessman and social investigator to whom the largest portion of *Poverty and Compassion* is devoted, was paradigmatic in this regard, an embodiment of what Beatrice Webb, his cousin by marriage and erstwhile collaborator, called "the union of faith in the scientific method with the transference of the emotion and self-sacrificing service from God to man."

The redirection of sentiments of subordination to some higher purpose from God to humanitarianism that fueled philanthropy and social reform had as its intrinsic danger the substitution of sentimentality for effective benevolence. It is the ability of her Victorian protagonists to avoid this recurrent temptation which Himmelfarb emphasizes in her aphoristic introduction to the book. "In its sentimental mode," she notes, "compassion is an exercise in moral indignation, in feeling good rather than doing good; this mode recognizes no principle of proportion, because feeling, unlike reason, knows no proportion, no limit, no respect for the constraints of policy or prudence. In its unsentimental mode, compassion seeks above all to *do* good, and this requires a stern sense of proportion, of reason and self-control. The late Victorians, as this book abundantly demonstrates, differed greatly on the best way of doing good. But they were agreed that what was important was to do good to others rather than to feel good themselves. Indeed, they were painfully aware that it was sometimes necessary to feel bad in order to do good—to curb their own compassion and restrain their benevolent impulses in the best interests of those they were trying to serve."

Though the activists of the Charity Organization Society (the subject of another chapter) made a religion of charity, they too tried to constrain their passion by the scientific concern for the results of benevolent action. In contrast to the Gospel's injunction "When thou doest alms, let not thy left hand know what thy right hand doeth," she shows that "their science required the left hand to know precisely what the right hand was doing, and made it a solemn obligation *not* to give to everyone who

JERRY Z. MULLER *is Associate Professor of History at the Catholic University of America.*

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asketh." Indeed they were critical of the Salvation Army, which practiced an older kind of philanthropy derived more directly from Christianity than from the new and secular science of benevolence.

THE DESIRE to combine compassion with a stern sense of proportion gave rise to empirical social research, intended to provide a more accurate picture of the social, economic, and cultural structure of the poor and of the working classes. Booth's seventeen-volume survey of the *Life and Labour of the People of London* was the most formidable and influential product of the quest to base benevolent action upon reliable knowledge. As Himmelfarb shows, for Booth and for most of his fellow-Victorian reformers, reliable, empirical knowledge about the poor did not mean ignoring the role of character in explaining the causes and nature of poverty. Nor, as for some conservatives, did it entail the assumption that the character of the poor was an adequate explanation of poverty.

For Booth, describing the poor "as they actually exist" included their attitudes and habits as much as their income and occupation. Indeed an important goal of his project was to distinguish between what he saw as the divers sources of poverty, namely questions of employment (lack of work or low pay), questions of character (idleness, drunkenness, or thriftlessness), and questions of circumstance (sickness or large families). One-half to two-thirds of poverty was due to problems of employment, he calculated. Booth's major innovation, as Himmelfarb sees it, was to distinguish classes *among* the poor, allowing the public imagination to focus on the "deserving" or "working" poor, whose poverty was due to employment and circumstance, and were regarded as "helpable" and as worthy objects of concern. Out of this understanding came a series of government measures such as unemployment insurance and old age pensions intended to improve the lot of the "respectable workmen" who were normally employed but unable to make ends meet because of circumstances beyond their control.

To some leftist historians, the fact that Booth and others suggested the reform of capitalism after having documented the reality of poverty is evidence of the reformers' inability to transcend their class biases and recognize that the solution lay in socialism. Himmelfarb shows that far from some unconscious oversight, Booth's reformist plans followed from his often-articulated assumption that on the whole it was capitalism that was responsible for the demonstrable rise in the standard of living of the poor and of the working classes. He advocated state assistance for the poor in order to allow the majority of the working class to thrive through their own initiative.

As Himmelfarb shows in her analysis of the writings of late Victorian intellectuals, from the philosopher T. H. Green through the economist Alfred Marshall, and even the single-tax guru Henry George, recognition of the inadequacies of laissez-faire capitalism did not lead most of them toward socialism or even to some encompassing welfare state. Instead, they favored forms of state intervention that would complement the market and increase the capacity of the working classes to participate in it.

The issue of moral character, Himmelfarb shows, was the overriding concern of the Victorian reformers. Their social policy was based upon the need to create the material and cultural conditions conducive to "respectability": the pedestrian virtues of "responsibility, decency, industriousness, prudence and temperance." In late Victorian England, these assumptions were shared by conservatives, liberals, and radicals.

THE GENERATION of New Left historians was inclined to dismiss the inculcation of these virtues as a means of "social control"—a hegemonic device practiced by the ruling class on the subordinate classes. Commenting upon the implications of the "social control" thesis, Himmelfarb asks, "If thrift, prudence, sobriety, industry, cleanliness, and independence were middle-class values, is it to be assumed that profligacy, imprudence, drunkenness, idleness, dirtiness, and dependency were indigenous working-class values?" Those who favor the "social control" thesis, she notes, may be "attributing to the poor a contempt for 'bourgeois' culture more congenial to intellectuals than to workers aspiring to that culture and to the material and social benefits associated with it."

Recent historical writing on Victorian England has shown that the struggle for respectability was central to the self-understanding of many of those in the working class, who stressed the distinction between the "rough" and the "respectable." As Himmelfarb demonstrates in her illuminating discussion of the London Dockers' Strike of 1889, it was precisely the respectable behavior of the workers that won them support from parts of the middle class and from religious leaders such as Cardinal Manning.

While some late Victorian reformers regarded moral character as a necessary prerequisite of the economic improvement of the working class in a reformed capitalism, others stressed that material improvements were not ends in themselves but prerequisites for moral development. The theme of moral development was central to the anglicized Hegelianism of T. H. Green, an influential figure in the transformation of late Victorian liberalism. Green broke with both laissez-faire liberalism and with the radical individualist liberalism of John Stuart Mill's *On Liberty*. Mill had judged that "the only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others. His own good, either physical or moral, is not a sufficient warrant." Green, by contrast, emphasized the positive moral role of the state. "It

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is the business of the law to make virtue easy, and to make vice difficult," he asserted.

Green's student, Arnold Toynbee, led a cohort of young men from Oxbridge to the London slums to bring the fruits of higher education to the poor. "No one wants higher wages in order that working men may indulge in mere sensual gratification," Toynbee declared. "We want higher wages in order that an improved material condition, with less of anxiety and less uncertainty as to the future, may enable the working man to enter on a purer and more worthy life."

As Himmelfarb demonstrates through her careful analysis of the works of Booth, Marshall, Toynbee, and others, their reformism entailed state intervention for the sake of "limited, pragmatic, expediential purposes" while remaining fundamentally devoted to the market and to the self-help which the pedestrian virtues made possible. While social reform through state intervention (indeed any departure from strict laissez-faire) was often termed "socialism," Himmelfarb shows that these intellectuals were skeptical of the plausibility of socialism in the modern sense of a planned economy or government ownership of the means of production. Indeed, reforming Conservatives such as A.J. Balfour protested that social reform was not only distinct from socialism, it was "its most direct opposite and its most effective antidote."

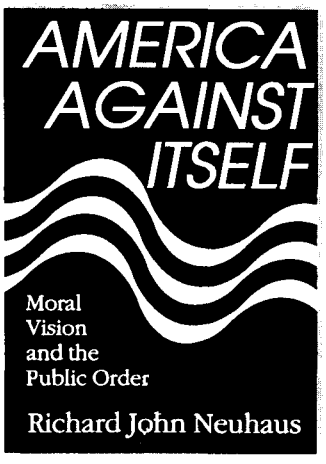
HIMMELFARB emphasizes the role of the Fabian intellectuals Sidney and Beatrice Webb in the transformation of social reform into illiberal socialism, based upon a more dominant and encompassing role for government. The greatest appeal of this doctrine was among the "bourgeois, bureaucratic, and benevolent" middle class, who were skeptical of the pedestrian virtues of the masses and more likely to place their faith in (their own) disinterested expertise. As leaders and spokesmen of this class, the Fabians contributed to the rise of a welfare state which provided benefits regardless of merit or even need, and which divorced questions of social policy from those of character. But this transformation was by no means the work of the Fabians alone, and indeed it came about despite some of the residual Victorianism of the Webbs. They privately opposed the national insurance schemes for granting entitlements without any corresponding obligations, and sought to retain the link between benefits and moral desert that was later abandoned by the welfare state.

As Himmelfarb shows with great subtlety, the search for more "objective" and mathematically precise indices of poverty led to the abandonment of criteria of character in empirical studies of poverty. If the late Victorians like Booth recognized that "poverty" and "unemployment" had objective, structural causes not always reducible to the habits and character of the poor or unemployed, their successors increasingly ignored the role of character amid the arithmetic of social woe. By the early twentieth century, New Liberals felt increasingly uncomfortable "mixing up moralities and mathematics," as one then counted among their number, Winston Churchill, put it. It would be left to much later policy analysts to rediscover the inseparability of the moral and material dimensions of the problems of poverty.

The definition and extent of the "underclass" is central to the contemporary debate on poverty, and among the many questions that this volume illuminates is the intellectual antecedents of the idea of the "underclass." In a variety of formulations (and with changing meanings), those who have sought to conceptualize the problem of poverty have distinguished between the "respectable," "deserving," or "helpable" poor who worked regularly—or at least sought work regularly—and that smaller portion who did not share the ethos of respectability, and who were a drain on the resources of society and even a threat to the safety of others.

How to deal with such people in a liberal polity has been a recurrent dilemma. Such a society depends on the functioning of a variety of nongovernmental institutions to instill the inclinations and habits that make participation in the market possible: how should it treat those who lack such an institu-

A disturbing—but ultimately hopeful—testament from one of America's foremost public intellectuals.



Partly autobiographical and thoroughly challenging, *America Against Itself* is an in-depth analysis of the pervasive cultural warfare that threatens to undermine the American social structure. Richard John Neuhaus, author of *The Naked Public Square*, tackles the abortion debate, the urban underclass, and the nature of altruism in a world that rewards uncaring. In addition, Neuhaus reflects on his role in "The Movement" of the 1960s. $19.95 cloth

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tional structure, or for whom such institutions have failed to produce the needed results?

CHARLES BOOTH was one among many who faced this difficulty. He focused his concern on that majority of the poor which was "deserving" and "labouring." But he classified 7.5 percent of the London population as a class of very poor, a "deposit of those who from mental, moral, and physical reasons are incapable of better work." These he proposed to evacuate from urban slums to industrial villages, where they would be well-housed, well-fed, and taught, trained, and employed on government-sponsored projects. Those who accepted State financial relief, he believed, should come under "State tutelage." Repugnant as such a notion was to a man of liberal inclinations, he thought it necessary for the sake of the working classes as a whole.

Such schemes of government-provided and government-enforced labor, often in villages removed from the negative social settings of urban slums, were suggested throughout the period, Himmelfarb notes, by a variety of authors—liberal, socialist, and religious. The Webbs recommended Detention Colonies for those recalcitrant workers or idlers whose "morbid state of mind" prevented them from being useful parts of the industrial order.

We are told almost nothing about why so few of these schemes were implemented, or about the reasons for their failure. At a time when ideas of state employment accompanied by some degree of state tutelage are again being touted as solutions to the problems of the underclass, it would be worthwhile to examine the fate of these earlier experiments. In any case, the problem of how a liberal society ought to deal with those who refuse to participate in the market remains as vexing as ever.

It is characteristic of an ideological work of history that it presents such facts—and only such facts—as lead inevitably to its author's own conclusions. Miss Himmelfarb's two volumes on the problem of poverty, while originally motivated by contemporary questions, lead us not to inevitable answers, but to better-informed questions. "The Victorians," Himmelfarb concludes, "have no solutions to our problems, if only because their problems are not ours." Like its predecessor, *The Idea of Poverty*, Himmelfarb's new book will disappoint readers expecting an ideological tract for the times. It is Miss Himmelfarb's readable yet rigorous recapturing of the complexity of past historical debates on issues of public policy that gives these books a value beyond the ideological postures of the day.

In *Poverty and Compassion*, Gertrude Himmelfarb's historical imagination meets the moral imagination of late Victorians, and her readers are the richer for it. We return to the present to find that intellectual travel has indeed broadened our own mind, and perhaps called our assumptions into question.

New Age Mush

BELONGING TO THE UNIVERSE. By FRITJOF CAPRA and DAVID STEINDL-RAST. *HarperSan Francisco. 217 pp. $18.95.*

Reviewed by **Charlotte Allen**

IN 1975, Fritjof Capra, an Austrian emigré physicist and systems theorist, published *The Tao of Physics*, an effort to find parallels between scientific principles and the insights of Eastern spirituality. He later became a guru in his own right, specializing in ecology, in Berkeley, California. Eastern religion has for almost two centuries been the Grail Forest for many a Western intellectual as Western philosophy, already unhitched from its medieval tether to faith, has stalked through the arid terrain of scientism, positivism, and various kinds of materialism, including the Marxist. Christian divines preached the Gospel of Progress and the Social Gospel. There was little to satisfy the hungry heart and the yearning imagination. Not surprisingly, Hinduism, Buddhism, and Taoism, untouched by the Western obsession with rationality and offering extraordinary insights into the numinous, have appealed to Europeans and Americans who have no other faith but cannot resign themselves to being atheists.

The Eastern trail these dissatisfied Westerners went down has sometimes led back home, at least part of the way. So it was that Capra, a lapsed Catholic, had his baby daughter baptized—not at a church but at the San Francisco Zen Center—in a ceremony presided over by David Steindl-Rast, a Benedictine monk with a doctorate in psychology and the coauthor of this book. Capra's residual fascination with the religion of his youth, all in a barmy California setting, reminds one of some of the Beats: Neal Cassady, who could not entirely shake off his childhood Catholicism, and Jack Kerouac, who returned to the faith before his death. It was Thomas Merton, who converted to Catholicism via a friendship with a Hindu holy man, who actually accomplished the sought-after fusion; he used insights from the East to nourish an authentic (and orthodox) Christian mysticism. Merton might well have been a saint, but the Trappist monastery where he lived and prayed also became a must stop on the hippie tourist trail during the 1960s.

Belonging to the Universe is a three-way dialogue on science and Christianity among Capra, Steindl-Rast, and another Benedictine, Thomas Matus, at Esalen, the Big Sur-based hot springs that are the Delphi of California spirituality (Steindl-Rast and Matus belong to the Camaldolese Benedictine community at Big Sur). The book jacket calls Steindl-Rast "a contemporary Thomas Merton," but to paraphrase a recent vice presidential

CHARLOTTE ALLEN *is a Contributing Editor at* Insight *magazine.*

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contender, you're no Merton, Brother David. If Merton was otherworldly, Steindl-Rast, a veteran of the New Age conference circuit, is the essence of conventional, complacent, wordy worldliness, ever eager to latch onto the latest trend and the latest jargon. The two monks' aim, says Steindl-Rast, is to prune away the dry scholasticism that has tended to choke the sense of mystery out of Christianity, all the while "affirming God's infinite otherness." What they actually do is cook Christian doctrines down to bland New Age mush.

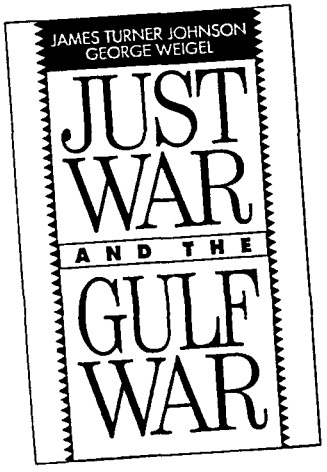
IS CHRIST'S RESURRECTION a stumbling block for the hip? No problem, answer the Benedictines. "That's not theology," says Matus of Jesus' Easter victory over death. "No responsible theologian is going to dredge that up today." The Resurrection, he says, was just a mental "experience" the disciples underwent because they couldn't bear the thought of "a wonderful, lovable person . . . being subjected to capital punishment on the basis of ambiguous allegations." Yeah, and He didn't have a jury trial, either. The Eucharist? Forget the Body and Blood of Our Lord. The Sacrament of the Altar is merely a huggy-bear "celebration of our ultimate belonging," avers Steindl-Rast. This is not restoring the sense of mystery to Christianity but systematically removing it. When Capra asks for bread, they give him tofu.

The guiding inspiration for this exercise is not Christ or even Buddha but Thomas Kuhn, author of *The Structure of Scientific Revolutions*. *Pace* Bush aide James Pinkerton's charming misreadings (he sees Kuhn's "paradigm" theory as an endorsement for school choice!), Kuhn's 1962 book was actually a reductionist, historicist exercise that for Capra and the Benedictines ought to represent Western rationality at its dead-end worst. In Kuhn's view, all metaphysical speculation, including the religious, is merely a function of whatever scientific thinking (or "paradigm") happens to be in style. The cosmologist Heinz Pagels accused the influential Kuhn of stopping serious work in the philosophy of science dead in its tracks for a generation. Inexplicably, or perhaps all too explicably, Capra and the Benedictines embrace Kuhn's relativism lock, stock, and barrel. Just as Newton's physics are "old-paradigm" compared to Einstein's, they say, traditional Christian beliefs are fit only for "children" and "fundamentalists" in this post-Newtonian age.

Steindl-Rast and Matus package

"Was the Gulf War a just war?"

Did the 1990-91 war in the Persian Gulf meet the criteria for a "just war"? Who was the "competent authority" to authorize the use of armed force? Was Desert Storm a "last resort"? Two experts on the just war tradition, **James Turner Johnson** and **George Weigel**, discuss the political and military decision-making regarding the U.S. role and the part religious leaders played in the moral debate. ***Just War and the Gulf War*** is published by the Ethics and Public Policy Center. **169 pages/$16.95 cloth**



"James Turner Johnson is in the front ranks of modern just war scholars."
— WILLIAM V. O'BRIEN
Georgetown University

"George Weigel's work is simply the best writing there is on just war and the Gulf."
— CHARLES KRAUTHAMMER
Syndicated Columnist

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a "new-paradigm" Christianity for Capra's consumption (to his credit, he never sounds entirely sold). Although freighted with many two-dollar words ("noetic," "epistemic"), this updated faith is actually as drearily predictable as a Newtonian equation, consisting of vague beliefs in universal oneness and a praxis in which liberation theology and recycling bottles play a large part. The monks also boast of the "non-sexist" Psalms they chant at the monastery—very new-paradigm.

As often happens with the new ideas of the day before yesterday, this old whine in New Age wineskins is already laughably dated. *Belonging to the Universe* ends on a hoot, with the embracing, in the name of "world federalism," of Mikhail Gorbachev and assorted Sandinistas—Maximum Leaders of the People apparently still in office when the book went to the presses. Perhaps Steindl-Rast and Matus need a rest from jet-setting spirituality. Perhaps their Father Abbot (or Person Abbot, or whatever they call him) ought to reassign them to cheese-making duties at the monastery for a while.

The Blackboard Bungle

ED SCHOOL FOLLIES: THE MISEDUCATION OF AMERICA'S TEACHERS. By RITA KRAMER. *Free Press. 228 pp. $22.95.*

Reviewed by **Charles L. Glenn**

IN HER LIVELY new study based upon fourteen schools of education across the country, Rita Kramer skewers two quite distinct forms of folly.

One form of folly is the attempt by a few of the faculty whose classes she observed to make the classes occasions for political indoctrination so that future teachers will seek social change through influencing children in their classrooms. The superficiality of much of the "radical" teaching is pitiful; as Kramer notes, "These student teachers are being encouraged to 'transform' a world they know almost nothing about, either in the complexity of its present arrangements or the various routes by which it became the way it is."

Her verbatim accounts of classes in which professors seek to elicit radical critiques of American society from their resistant students are grimly amusing; these represent a small minority of the classes described, however. Early notices of Kramer's book suggesting that she focuses primarily on this issue do not do justice to the breadth of issues that she raises. Indeed, Kramer's conclusion that "among teacher-educators today, the goal of schooling is not considered to be instructional, let alone intellectual, but political," is simply not borne out by her own observations, which make it clear that students in the more prestigious schools of education arrive there with the fashionably progressive attitudes that she deplores, while those in the less prestigious schools pay little attention to the efforts of their professors to radicalize them.

The more serious form of folly is what Kramer perceives as a lack of seriousness in the culture of schools of education about the teaching of solid content. She finds evidence of this in faculty presentations and also in the discussions she was able to observe among student teachers, who "talk about things like feeling, warmth, empathy more than they do about skills, training, discipline." Like many critics before her, Kramer deplores the stress of American education upon self-esteem and social adjustment rather than upon "mastery of language, symbol, and abstract thought."

THAT, surely, is a serious charge, if proven. There is nothing wrong with a sense of one's own intrinsic worth, of course, but it is the proper business of schools to help their pupils take a justified pride in their actual accomplishments in relation to their reason for being in school: developing "mastery of language, symbol, and abstract thought." If schools instead promote cotton-candy self-esteem, all sweetness and air, they provide empty calories in place of solid nourishment.

It is to be feared that many schools are doing just that (though not only that), and that they are cheered on by some school of education faculty. But in assuming that the latter are the source of feel-good education, Kramer attributes too much power to institutions that are very much the creatures of their environment, needing to attract student tuitions and public or private funding through offering whatever is in current fashion.

No careful reader of her observations, indeed, could come away with a belief that there is a "school-of-education agenda" being imposed upon American schools. Not only are the institutions that she describes very different in style and goals, but within each she found sharp differences among faculty, including those teaching parallel sections of the same course.

Her study itself provides evidence of deeper problems with American education that will not be solved by "ed school bashing." The blame for low expectations, for "lite learning" in our schools, should not be pinned on schools of education, though they have done too much to give it a patina of intellectual justification. The real underlying condition is that we Americans simply do not expect enough intellectual effort from our children and are complacent about the level of work they do in school, as Chester Finn has argued powerfully in *We Must Take Charge*. This complacency is the heart of the problem. We want our children to be happy without effort, to be mellow rather than to know the joy of disciplined and well-furnished minds. We want our children's teachers to exhibit "feeling, warmth, empathy" more than we want them to possess advanced

CHARLES L. GLENN *was recently appointed Professor of Administration, Training, and Policy Studies at Boston University School of Education.*

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degrees in academic subjects.

Schools of education produce the teachers that American schools and parents, in the great majority, call for. This is no excuse; they must find ways to do better, though it will require convincing their own students, as well as the school administrators who will one day employ them, to think about education in more intellectually demanding terms.

Let us stipulate that it would be in the national interest for American schools to become more serious about teaching content—languages, history, sciences—and the mental discipline to make good use of it. Let us also assume that parents can be persuaded to insist upon more demanding schools, and to enforce that insistence through some combination of school choice and the political process. How would the preparation of teachers have to change?

The starting point would be to make again the fundamental distinction between elementary and secondary education that has become blurred in recent decades. Kramer mentions this distinction several times in passing, but her accounts of ed school practice do not make sufficiently clear to which level of schooling her particular observations apply. After all, for the teacher of young children, " 'loving kids' as the motive for choosing a teaching career, the idea that . . . school should provide 'a warm, caring environment,' " is not far off base. It is the application of this assumption "at every level" (the words represented by the ellipsis) that causes problems. American elementary schools are actually pretty good, by international standards; it is our secondary schools that are in profound trouble.

ELEMENTARY SCHOOL teachers in the United States as in other nations are typically prepared for their work in undergraduate programs that do not require prior completion of a degree in some other field. Such programs are now under attack from those who would eliminate undergraduate teacher preparation programs altogether—motivated more, perhaps, by a concern with the professional status of teachers than with their competence. The fashionable put-down of courses that develop skills in teaching is unjustified; many of them—as Kramer's observations make clear—are excellent. Among her conclusions, then, is that "there is room for an upgraded undergraduate education major for teachers of primary/elementary grades only."

Secondary education is—or should be—a fundamentally different enterprise, much more focused upon the content that is to be mastered. While teachers in secondary schools should also, presumably, have a real affection for youth and strive to create a supportive climate based on genuine respect, we have a right to expect of them in addition a broad knowledge of some academic discipline, as well as an understanding of how that discipline is learned, which is by no means the same thing.

The first part of the prescription should be satisfied by an undergraduate course of study in liberal arts, though it is not clear that graduates today in history, for example, possess broad historical knowledge and a feel for the discipline; they may have been sidetracked early into some politically fashionable specialization. A year of graduate work with a focus upon the different ways in which adolescents learn, together with supervised practice teaching, would give them the survival skills to be effective teachers. Many schools of education now offer a Master of Arts in Teaching degree that builds upon a liberal arts major; by all accounts, students are highly motivated and receive solid professional training.

Thus far, Kramer's observations are sound (as well as lively and interesting), and her recommendations well within the direction in which teacher preparation is already moving. It is when she ventures beyond what she saw in the schools of education to join in the sport of indicting American education in general that she falls into over-broad generalization that—who knows?—may be the result of too many hours of exposure to teaching that lacked intellectual rigor.

She is offended that a goal of American education is "to make sure everyone gets a passing grade," as though that were in essential opposition to the goal of producing "individuals capable of effort and mastery," and she deplores the current emphasis upon supporting students with various kinds of educational disabilities as though that were to blame for the lack of seriousness about challenging the most academically talented.

It cannot, surely, be an appropriate goal of any education system to fail students, nor would the failure of some indicate that other students were receiving a first-rate education. We are right to seek to make the education of each student a success, for each will be part of our society as burden or blessing for many years. Our mistake has been the failure to develop with sufficient thoughtfulness alternate paths to and measures of success. Most students in American secondary schools take some version of a college-preparatory program, dumbed-down for many to a parody of academic rigor.

GERMAN EDUCATION, by contrast, sorts pupils out after the fourth grade into forms of schooling of greater or lesser academic challenge, but provides a more coherent alternative course of study than we do for those who are not going on to some form of higher education, one that is completed by a well-designed apprenticeship. There are problems with the German model, too, but it shows that schooling can be organized with the goal that every student be successful, though not by the same standards, while maintaining unapologetically high standards for some.

Rita Kramer has written a challenging book, and her verbatim

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descriptions of classes and conversations in schools of education are well worth reading. Her touch becomes unsure when she attempts, through that limited perspective, to draw conclusions about the ills of American education and then to prescribe fundamental reforms. This is not a book to put beside the important recent studies by Chester Finn, Thomas Toch, or Edward Fiske, but it throws a valuable light on the limitations (and some of the strengths) of teacher preparation.

A Lutheran Affirmation

NO OTHER GOSPEL! CHRISTIANITY AMONG THE WORLD RELIGIONS. By CARL E. BRAATEN. *Fortress Press. 142 pp. $10.95 paper.*

Reviewed by **Leslie Newbigin**

CARL BRAATEN gives us here a spirited and well-grounded affirmation of the centrality and finality, the uniqueness and universality, of Jesus Christ, and a frontal assault on the relativism that marks so much contemporary theology. (The exclamation point in the title is a response to the interrogation mark in the title of a book by Paul Knitter entitled *No Other Name?*) At the same time, Braaten is concerned that in affirming the centrality of Christ we do not deny that which God does beyond the bounds of the Church and the Bible. Braaten upholds the necessity and the possibility of a Christian theology of the religions. The book is made up of papers and addresses given at different times and suffers a little from this, but it is held together by "the biblical-Christian claim that in Jesus of Nazareth the eschatological truth has appeared once for all in a unique event with universal relevance." Holding this conviction, Braaten insists that the writing of theologians like John Hick, Paul Knitter, and others is incompatible with the integrity of Christianity and would, if it were to prevail, do nothing less than destroy the Church.

Recognizing that the key issue is Christology, Braaten surveys contemporary Christological writing in the United States and finds it wanting. He invites American theologians to sit again at the feet of Jonathan Edwards. Chapter 2 provides an illuminating survey of the discussions of "the absoluteness of Christianity" in the past two centuries, giving major attention to the work of Ernst Troeltsch and of Wolfhart Pannenberg. The following chapter examines the very different approach of Karl Barth, offers a much needed protest against the caricatures of Barth in current circulation, and shows how Barth's radical Christo-centrism could, in his later work, sustain a generous understanding of the world's religions. Chapters 4 and 5, beginning from Luther's doctrine of general revelation, seek to develop a Christian theology of the religions. Braaten rejects a theology that would live in "splendid isolation" from the rest of human affairs, and affirms that "the history of religions lies within the orbit of God's revelation to the world." But, before this is said, it has to be said that "only in the missionary encounter of the religions does this meaning come to light." Jesus is the eschatological fulfillment of the religions. He does not destroy but fulfills. And when we say this, we are not speaking of a "Christ principle"—a discarnate logos that can be shaped to suit our wishes—we are speaking of Jesus of Nazareth.

CHAPTER 7 puts the whole discussion into a Trinitarian perspective, affirming with Karl Rahner and other modern writers that "the economic Trinity is the immanent Trinity" and that what is given to us in Jesus and in the Holy Spirit is the very being of God. The attack of the pluralists requires the full armor of Trinitarian doctrine if it is to be met.

The last chapter is a strong affirmation of the Lutheran doctrine of the orders of creation and the two kingdoms. This might seem to hang a little loosely with the rest of the book, but it is part of Braaten's argument that the affirmation of the uniqueness of Jesus must go with a recognition of the works of God outside the Bible and the Church. To quote his final word: "It is ultimately for the sake of [the Gospel's] integrity and uniqueness that we need to rehabilitate the old Lutheran doctrine of the orders of creation."

I am grateful for this book and am in deep agreement with its central thesis, namely that the kind of pluralism expounded in the writings of Hick, Knitter, et al.—if accepted—must destroy the Church. I am also grateful for the discussion of the way in which the relation of the Absolute to history has been argued in the past century—as well as for the way a strongly confessional Lutheran can give such a fine exposition of the work of Barth.

Still, there are problems. The pluralism of Hick and company is part of the wider phenomenon of relativism. It is part of the pervasive influence of the Kantian affirmation that ultimate reality is unknowable and that we can know only the phenomena ordered according to the categories imposed by our minds. When Braaten says that the acceptance of Hick's position would wreck the Church, he is right. But the reply might well be: "In that case, we don't need the Church." It seems to me that we cannot meet the challenge Braaten faces without a wider epistemological discussion. It is part of his Lutheranism that he makes a sharp distinction between faith and reason. We can know the orders of creation by reason, but it is only faith that enables us to know that God is their creator. Braaten seems to follow Aquinas (and Aristotle) in making this sharp dichotomy. I think that we are on firmer ground if we follow Augustine's *Credo ut intelligam.* Faith is the only way

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LESLIE NEWBIGIN, *a senior statesman of the ecumenical movement, includes among his many books* The Gospel in a Pluralist Society.

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to understanding. Polanyi has convincingly shown that there is no knowledge of any kind without the personal commitment of the subject. Faith in Jesus is not a totally different thing from the faith that enables us to learn by trusting a cultural tradition, and from the faith that there is yet more to be discovered, which is the fuel that drives the restless search for knowledge. It is the line of Augustine rather than that of Aquinas that makes it possible credibly to affirm the Gospel as public truth in the relativistic climate of contemporary Western culture.

AS A LUTHERAN THEOLOGIAN, Braaten sees as central the question "How can we be saved?" Here he occupies the same ground as Hick, who says that religions are not accounts of what-is-the-case but alternative (and roughly equal) ways of salvation. Barth, in the Reformed tradition, does not place this question in the center but rather the question: "How is this glorious God to be glorified?" I think that the interreligious discussion is made very difficult if it is a discussion between those who are going to be saved and those who are going to be lost. "Dialogue" is hardly appropriate in such a situation: the only relevant category is rescue.

One can then be grateful for Braaten's strong affirmation of a Trinitarian theology that combines an affirmation of the uniqueness of Jesus with an affirmation of the work of God outside the Bible and the Church. Still, if we are to have a Christian theology of the religions, is it one best grounded in the Lutheran doctrine of the orders of creation or in Barth's doctrine of the work of the ascended Christ? In Chapters 4 and 5, Braaten deals with the religions as the area of God's working outside the Church, but in Chapter 7, it is the law that is the main locus of this action and religion is one of those things that becomes "idolatry and blasphemy" when it makes totalitarian claims. But religions *do* make totalitarian claims: it is almost their distinctive character. Can "religion" be put with race, family, state, law, conscience, etc. as one of the "common structures of human living"? There are people who claim to be without religion. Or is religion, as Barth maintained, a form of unbelief—something totally different from these "structures"?

It is difficult to accept the belief that the common structures (which certainly do exist) have a relation to God from which Christ is totally separated. There is more illumination to be found in the Pauline doctrine of the "principalities and powers," which include such things as the law, the political order, philosophy, and religion. These things, according to Paul, are created in Christ, and for Christ (Col. 1:16) but have been "disarmed," robbed of their totalitarian claims, by Christ (Col. 2:15). It follows that it is the privilege and calling of the Church to make known to the principalities and powers the manifold wisdom of God (Eph. 3:10).

An absolute separation between the "structures of human living" and human living in its individual expression is neither acceptable nor even entirely intelligible. The distinction is important, and to ignore it dangerous. And in this respect, the Lutheran tradition may provide an important warning.

But structures do change, and the Gospel can be a power to bring about such change. The way in which Paul deals with the slave Onesimus is a canonical example of the way in which the Gospel can change the structures without either ignoring them or pretending to demolish them. Christ has disarmed the powers but he has not destroyed them.

If this is applied to the matter of a Christian theology of the religions, it would imply that the ascended Christ is ceaselessly at work in the lives of people of other faiths. It would also mean, as Braaten says, that Christ is the true eschatological fulfillment of the religions. But it would mean as well that this fulfillment comes only

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through the missionary encounter and through conversion. There is no unbroken line from the religions (including Christianity as a developing historical movement) to the End. Jesus said, "I came not to destroy but to fulfill," and Paul the Christian could affirm this (Rom. 3:31), but only after a radical conversion to the one whom he had seen as subverter of the law.

Braaten is committed to the cause of Christian unity, and neither he nor I would wish to get into an inter-confessional wrangle. But he writes as a Lutheran, and I want only to offer another perspective that might help the Church as a whole to affirm both the uniqueness and finality of Jesus Christ, and also the gracious work of God among people of all faiths and none.

The 1960s Revisited

THE DEATH OF AN AMERICAN JEWISH COMMUNITY: A TRAGEDY OF GOOD INTENTIONS. By HILLEL LEVINE and LAWRENCE HARMON. *Free Press. 370 pp. $24.95.*

Reviewed by **Edward S. Shapiro**

IN NOVEMBER 1969, Hillel Levine, a graduate of the Jewish Theological Seminary and a doctoral candidate in sociology at Harvard, addressed the annual conference of the Council of Jewish Federations and Welfare Funds in Boston. Published later that year in the Jewish magazine *Response* under the title "To Share a Vision," Levine's speech became the most influential statement of a group of young Jewish radicals who sought to reorder American Jewish priorities and to reshape Jewish communal life.

Levine's audience, made up of the lay and professional leaders of the American Jewish communal establishment, were both resentful of and sympathetic toward Levine. They resented the fact that they had been forced to allow Levine to speak because of threats that, otherwise, Levine's followers might disrupt the conference. But they were also sympathetic to his message since it seemed to be a harbinger of a Jewish renewal among a sector of the population assumed to be apathetic regarding Jewish concerns, and because it fed the masochism common among liberal American Jews.

"To Share a Vision" conformed to the Jewish radicals' goal of comforting the afflicted and afflicting the comfortable. According to Levine, young Jews were "dismayed with the reality of American Jewish life which we cannot reconcile with what you have taught us to cherish." They had found "fewer exciting models . . . in the Jewish community, little opportunity to give expression to our youthful ideals. . . . Perhaps it was a sign of our health that we were not attracted to a Jewish life devoid of intellectual and spiritual energy." Where, Levine told his listeners, "can we find inspiration in the multimillion-dollar Jewish presences of suburbia?" "When walking through the neat rows of split-level in Brookline or Beverly Hills, Scarsdale or Highland Park," he claimed, "one gets a sense that the cumulative aspirations of millennia of civilization went into such push-button comfort. Yet what unhappiness is there to be found behind so many of those gold trim doors."

LEVINE placed much of the blame for the sterility of American Jewish life on the federations, since they were responsible for establishing the financial priorities of the community. So desperate was the state of the American Jewish community that the federations could no longer operate on the basis of business as usual, relying on the generosity of "a few generous men or the patrons of particular projects whose concerns do not transcend their project." Levine was particularly concerned with the federations' funding of hospitals, defense agencies, and recreational institutions such as community centers at the expense of Jewish education. Jewish philanthropy, he asserted, was content to mobilize more resources "to combat one crackpot anti-Semite than to deal with the Jewish illiteracy of millions of Jews. . . . A vague sense of Jewishness can no longer compete in an open market of identities for Jews three or four generations removed from a substantive Jewish experience. Identities are based on ideologies and experiences, and neither can be offered by Jewish swimming pools and game rooms."

Levine urged his listeners to increase radically the funding of Jewish afternoon schools, Jewish day schools, and Jewish Studies programs in academia. This reordering of priorities would help build a Jewish community "that is creative and not one that must concern itself with mere survival." But Levine warned the Jewish establishment that young Jews would not be mollified by tokenism. "We will not be pacified, co-opted, nor compromised with vague resolutions. We want action and not delays. We want a change of the order of allocations and we want more equitable representation in decision making."

Twenty-three years after Levine presented this challenge to the American Jewish establishment, he has coauthored a book on the transformation during the late 1960s and early 1970s of the once vibrant Boston Jewish community of Roxbury, Dorchester, and Mattapan into a black slum. Both Boston's blacks and Jews had hoped to create a stable, integrated environment of good schools, busy stores, and safe streets in these contiguous neighborhoods. Instead there emerged an urban jungle ranking among the worst in the country.

The Death of an American Jewish Community is concerned, above all else, with allocating blame for this development. Its underlying assumption is that there was noth-

EDWARD S. SHAPIRO *is Professor of History at Seton Hall University and author of* A Time for Healing *(Johns Hopkins University Press).*

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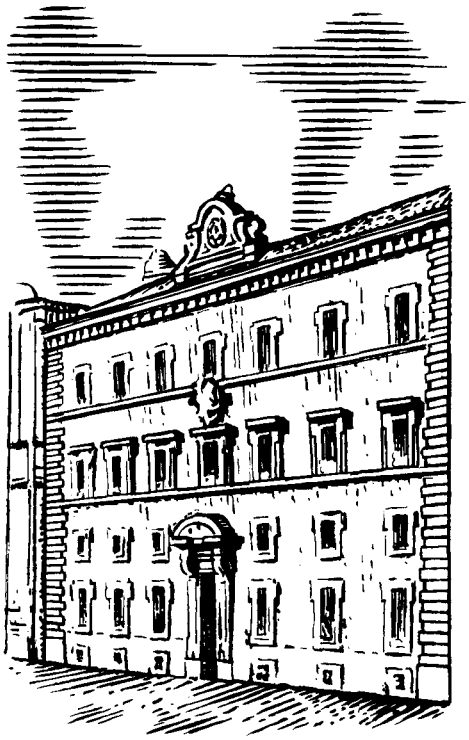
ing inevitable about the process of urban decay, that what we have here is a problem and not a condition. Major responsibility for the change in Roxbury, Dorchester, and Mattapan, Levine and Harmon claim, rests largely on the political, banking, and real estate establishment of Boston that decided to channel Boston's growing black population into Jewish neighborhoods rather than to scatter them in Irish, Italian, and other ethnic enclaves. The politicians, bankers, and realtors, Levine and Harmon claim, believed that Jews would put up less resistance to this incursion of blacks, and that the violence associated with the later busing of blacks into the Irish area of south Boston could be avoided. Boston's Jewish leaders were also partially responsible for the demise of inner-city Jewry. They had turned their backs on the problems of those less-affluent Jews who preferred to remain in the old neighborhoods rather than to relocate to the suburbs. From the perspective of the Jewish establishment, it was preferable for Roxbury, Dorchester, and Mattapan to become *judenrein* rather than to dissent from the cozy liberalism that equated urban renewal and integration with political righteousness.

NOT SURPRISINGLY, both the substance and the tone of this indictment resemble Levine's 1969 speech. There is the same contempt for suburbia in general and Jewish suburbia in particular. "Can the smell of chlorine and fresh cut grass evoke the 'warmth of belonging' and the 'sharing of Jewish values' in a way that scores of neighborhood synagogues, shops, and clubs could not?" Levine and Harmon ask. There is the same disdain for all political, economic, or social establishments, and the same belief that such establishments by their very nature engage in malevolent conspiracies against those they are putatively representing. There is the same affection for outsiders, whether they be radicals knocking on the doors of Jewish federations or poor Jews in Roxbury and Dorchester. There is the same demand for "participatory democracy" and accountability within Jewish institutional life, and the same assumption that Jewish leadership to be effective must be localized. There is the same belief that those who talk the loudest make the most sense. In the 1960s it was Jewish radicals such as Levine; in the 1960s and 1970s it was Meir Kahane and his Jewish Defense League which defended Jewish pedestrians and shopkeepers against black predators.

THERE IS the same type of apocalyptic thinking and the same seizing of the high moral ground. "By helping to clear away the 'structural underbrush' of contemporary racism," Levine and Harmon inform us, *The Death of an American Jewish Community* has "tried to foster understanding and, ultimately, new means of resolution." There is also the same inclination to talk in terms of rights rather than duties and responsibilities. "Communality," they argue, is "a basic human right" which government and the private



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sector are obligated to respect.

The Death of an American Jewish Community is saturated with a nostalgia for the 1960s, when supposedly Jews and blacks marched arm-in-arm in behalf of civil rights and economic justice. That this is no longer true is due not to social and economic forces but to the blockbusting and white flight fostered by realtors and bankers that set blacks and Jews at each others' throats. "So busy blaming each other, neither the blacks nor the Jews of today manifest much understanding of the elusive forces that are external to their communities and function independently of both their wills and interests." We should now be thankful to Levine and Harmon for revealing these hitherto "elusive forces."

Some of us, however, will remain skeptical regarding Levine and Harmon's claim that they have discovered the snake in the garden of black-Jewish relations. While the Jews of Boston were fleeing to the suburbs, the same thing was occurring in Newark, Minneapolis, Washington, Cleveland, New York, Detroit, Philadelphia, and other major American cities. Certainly Boston's White-Anglo-Saxon-Protestant bankers could not have been responsible for these exoduses as well. Was it possible that similar conspiracies of bankers and realtors eager to take advantage of the largesse of the federal government could have sprung up simultaneously throughout the United States? Is it rational to believe that all these cabals were directed at Jewish neighborhoods?

The plight of the central cities and the reasons for the flight of Jews and others, whites and middle-class blacks alike, cannot be found in the machinations of bankers and politicians. A more likely source is the decline of the black family (approximately three-fifths of current black births are illegitimate) and the effect that liberal economic and social policies have had on encouraging dysfunctional social behavior and in undermining those forces within the city such as religion that have attempted to hold back the new urban barbarism. Nostalgia for the 1960s is of little use in understanding the plight of our cities.

Church-State Conundrums

ORIGINAL INTENT: CHIEF JUSTICE REHNQUIST AND THE COURSE OF AMERICAN CHURCH/STATE RELATIONS. By DEREK DAVIS. *Prometheus Books. 202 pp. $24.95.*

Reviewed by **Keith J. Pavlischek**

IN THE FIELD of church-state jurisprudence, as is well known, legal scholars are generally divided between "strict separationists" and "accommodationists." The former place a "broad interpretation" on the First Amendment's prohibition of establishment, insisting on an absolute separation of church and state, thus forbidding all forms of government assistance to religion or to religiously inspired activity. Accommodationists, on the other hand, argue for a "narrow" reading, one that insists that the founders intended simply to remove religious tests for public office, prevent the creation of a national church, and protect freedom of religion. Thus, governmental support for religion is not unconstitutional if it is nondiscriminatory and has a reasonably legitimate public purpose.

Derek Davis, associate director of the J. M. Dawson Institute of Church-State Studies at Baylor University and associate editor of the *Journal of Church and State*, has written an introduction to church-state jurisprudence for the nonspecialist from the perspective of a strict separationist. The book's primary focus is on the judicial philosophy of Chief Justice Rehnquist, but it also includes an historical development of church-state relations in America. Although he deeply disagrees with Rehnquist's constitutional hermeneutics ("difficult to reconcile with what can be determined of the original intent of the framers but also unprotective of fundamental principles of religious liberty"), and finds disturbing the Rehnquist Court's "serious departures from the Court's traditional [read: strict separationist] stances," Davis nevertheless attempts to present an "objective, fair, and dispassionate treatment of Chief Justice Rehnquist's views and how they may be influential in reshaping church-state relations in America."

THOSE WHO are sympathetic toward a more "accommodationist" understanding of the religion clauses ought not dismiss Davis' criticism of the Chief Justice too lightly, given Rehnquist's concurring vote in the landmark case of *Employment Division v. Smith* (1990), the now infamous "peyote" decision in which the Court departed from the doctrine that citizens could claim exemption from laws that violated their religious freedom unless the state could show a "compelling state interest" in overriding their claim. Davis argues that the Court, in rejecting the "compelling state interest" test, acted in a way entirely consistent with the judicial philosophy of the Chief Justice. He, quite correctly, finds this alarming.

Davis observes that prior to *Smith* many had assumed that Rehnquist and other Supreme Court conservatives were "pro-religion" because they were less likely to strike down nondiscriminatory government aid to religion as a violation of the Establishment Clause. *Smith* proved this assumption to be unwarranted. In short, the understanding of religious liberty as a fundamental freedom requiring "heightened judicial scrutiny" gives way to a more fundamental judicial philosophy of states rights. For Rehnquist, majoritarianism (as reflected in the state legislatures) trumps appeals to reli-

KEITH J. PAVLISCHEK *teaches in the Philosophy and Religion Department at Northeast Missouri State University.*

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gious liberty.

As his title might suggest, Davis takes the notion of "original intent" quite seriously. Without denying that there are considerable tensions between text and intent, and while recognizing that the notion of a "living constitution" is valid, he insists that "where intent can be investigated so as to illuminate the text, it is an altogether proper inquiry." Because the founding fathers were "closer to the problem of religious despotism," their "aspirations of providing guarantees for religious liberty in a constitutional government are instructive to a contemporary America that retains those aspirations."

Many "accommodationists" are likely to agree with Davis on the importance of coming to some understanding of the founders' intentions. Which leads us to ask, Why might accommodationists and strict separationists agree on the importance of "original intention" and yet disagree so radically on what the prohibition of establishment and the guarantee of religious liberty require? Here we touch upon a matter of fundamental disagreement in constitutional interpretation.

According to Davis, in setting its separationist course, the Supreme Court has, with only few exceptions, "relied heavily upon the ideas concerning religious liberty advanced by such notables as Roger Williams, James Madison, and Thomas Jefferson." Believing that their views were "instrumental, if not primary" in the final wording of the religion clauses, the Supreme Court has "looked behind the words of the First Amendment" to discover their "purest expressions" in the views of Williams, Madison, and Jefferson.

Rehnquist, on the other hand, given as he is to "strict constructivism," focuses primarily on the meaning of the religion clauses "as elucidated by the proceedings of the First Congress and certain events thereafter." He is thus less willing "to go behind the words of the First Amendment to figures like Jefferson and Madison and their views on religious liberty." While the views of Madison and Jefferson on religious liberty may have been revolutionary and may even lend credence to the strict separationist position, they were fully implemented only in Virginia and not, according to Rehnquist, at the First Congress. Their views ought not, therefore, be read into the First Amendment without significant modification.

DAVIS DOES acknowledge that the actions of the First Congress and of the early Presidents are powerful counterevidence to his strict separationist interpretation. But he rather casually dismisses what he calls these "early violations of the doctrine of separation of church and state" as due merely to a "time of transition," a "moving away from church-state union to church-state separation" and to "the inevitable overlapping concerns of church and state." The "principles of separation" took some time to reach "full actualization." The heroes in Davis' drama are those modern jurists who overlooked these early evidences against their position and thus defended separationist principles by "rebuffing legislatures that seek to support religious expressions, especially in the public schools, or to render financial support to churches or parochial schools."

While Davis' tone throughout the book is dispassionate and his attempt to be fair laudable, his determination in prosecuting the accommodationist position leads to caricature. For example:

> Accommodationism is mistaken in its belief that religion should be nurtured, patronized, or promoted by government. The issue is really whether religion needs the state to "prop it up," or whether religion thrives when left alone. Accommodationism prefers government sponsorship and subsidy of religion rather than allowing it to compete on its merits against indifference and irreligion.

Davis simply fails to see that a fundamental claim for justice lies behind the accommodationist position. Accommodationists tend to be more perceptive of the way in which the advocates of religious "indifference and irreligion" start off at a competitive advantage in the America public square, particularly in public education, an area in which so many church-state issues are fought.

For example, economically disadvantaged parents who would send their children to a Christian day school if they could afford it, but are forced instead to send them to a public school where, by separationist dogma, indifference toward religion is *required*, would be hard-pressed to see this as fair competition between the advocates of religion and the advocates of religious "indifference and irreligion." The same can be said for those parents of parochial school students who are denied public funds for remedial instruction because it presumably violates the prohibition of church establishment. The complaints of these parents cannot fairly be dismissed as attempts at "propping up" religion. Many who would defend funds for remedial aid, tuition tax credits, or vouchers for parents of parochial school children (which strict separationists oppose) have no problem competing with "indifference and irreligion." Their plea is not for "subsidy" or for "sponsorship" but for justice—to make the playing field level, as it were.

Davis is right to acknowledge the danger to religious freedom that stems from an over-willingness of some jurists to defer to state legislatures in matters of free exercise. But he does not see the corresponding threat to free exercise that stems from an absolutist reading of the Establishment Clause. And that, in turn, is because he does not seem to appreciate the conceptual difficulties with reading the particular religious or theological views of Williams, Jefferson, and Madison into the First Amendment. On this, Rehnquist is right.

LET'S SUPPOSE that Davis is correct in assuming that Williams, Madison, and Jefferson understood religion to

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be an entirely personal, private, interior matter of the individual conscience—a view that he erroneously attributes also to John Courtney Murray—and that this particular view of religion was incorporated into the First Amendment by the founders. What might that imply?

In 1949 Murray took up exactly this question in an article critical of the strict separationist course set forth in the landmark *Everson* (1947) and *McCollum* (1948) decisions. Murray insisted that the belief that "religion is of its nature a personal, private interior matter of the individual conscience, having no relevance to the public concerns of the state" is *itself* a theological premise, "an irredeemable piece of sectarian dogmatism." Let's call this particular tenet, one that is held by Davis, the Strict Separationist Dogma (SSD).

Now, this may be Davis' understanding of religion but it was not Murray's, it isn't mine, and I suspect it is not held by many readers of this journal. In that sense SSD is surely sectarian. But, as Murray insisted, "if there is one thing that the First Amendment forbids with resounding force it is the intrusion of a sectarian philosophy of religion into the fundamental law of the land." By insisting that SSD be read into the religion clauses, any religion (or secular ideology?) that holds SSD would thereby seem to become "established." Thus, seeking to avoid an establishment of religion, the strict separationist thereby establishes one—his own.

The most reasonable way to avoid this result is to understand the stricture against establishment, in Murray's words, "as instrumental to freedom, therefore as a *relative*, not an *absolute* in its own right." Since, as Murray observed, "one cannot balance an absolute against anything," the strict separationist is committed to a view in which the "no establishment" provision has primacy over the "free exercise" provision. An absolutist understanding of establishment logically entails that free exercise be subordinate to it. That's how the First Amendment, originally intended to guarantee religious freedom, gets turned on its

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head. "Free exercise" becomes subordinate to "no establishment," understood absolutely. For that reason, the free exercise provision should have priority and "compelling state interest" should be required to override claims that religious freedom has been violated. It may also be wise to consider Richard John Neuhaus' claim that we are not dealing with two religion clauses at all, but one clause intended to promote religious freedom through disestablishment.

In any case, if Davis is right, and religious freedom is compromised in the hands of those, such as Chief Justice Rehnquist, who would defer free exercise claims to state legislatures without demanding "compelling state interest" to override those claims, it is also compromised by those who understand the prohibition of establishment in an absolutist sense. Davis does well by warning us of the threat from the former, but he is of no assistance in seeing us through the danger posed by the latter.

BRIEFLY NOTED

THE DEMOCRACY READER: CLASSIC AND MODERN SPEECHES, ESSAYS, POEMS, DECLARATIONS AND DOCUMENTS ON FREEDOM AND HUMAN RIGHTS WORLDWIDE. Edited by DIANE RAVITCH and ABIGAIL THERNSTROM. *HarperCollins. 330 pp. $35.*

A very useful anthology of almost a hundred readings. Regrettably, the editors jump from Aristotle to sixteenth-century Europe with only one brief stop at Aquinas. This grievously distorts the development of Jewish and Christian ideas fundamental to democratic governance, such as human dignity, the relationship between individual and community, the moral ambiguity of power, the pervasiveness of sin, the relationship between sacred and profane authority, and the purposefulness of history. The result is that democracy appears as a *deus ex moderna,* and almost entirely a secular phenomenon. That description of things is no less deplorable for its being so common among intellectuals in the West. Because the editors are not known as champions of what today is called "multiculturalism," it is the more surprising that Chinese and African reflections on democracy receive more attention than the Judeo-Christian tradition. (Since the editors have, offering rather strained reasons, included Nietzsche, they might have heeded his counsel, "The democratic movement is the heir of the Christian movement." He was opposed to both, of course.) Nonetheless, this is a valuable, even if historically and conceptually skewed, collection of statements on the nature and importance of democracy.

THE HARVEST OF HUMANISM IN CENTRAL EUROPE. Edited by MANFRED P. FLEISCHER. *Concordia. 389 pp. $19.95.*

Essays by younger American and European scholars in honor of Lewis W. Spitz, the distinguished Reformation historian at Stanford. The focus is on the interaction of Renaissance humanism and Reformation theology as refracted through the legacies of Luther, Calvin, and Loyola. The book is a very welcome and scholarly antidote to discussions of Western culture that skip from the Reformation to the Enlightenment (or, even more commonly, from Aristotle to Hume).

PRACTICE IN CHRISTIANITY. By SOREN KIERKEGAARD. *Princeton University Press. 416 pp. $14.95 paper.*

Translated and with an introduction by Howard and Edna Hong, of course. If anybody has done more than the Hongs of St. Olaf College to sustain interest in Kierkegaard over the last several decades, we don't know who it might be. The current volume includes a number of fragments and expositions, among the most interesting being SK's reflections on the "impossibility of direct communication" and the consequent suffering of Christian existence.

THE CHRISTIAN FAITH. By ERNST TROELTSCH. *Fortress. 310 pp. $19.95 paper.*

A distinguished addition to "Fortress Texts in Modern Theology," this very readable translation of Troeltsch's *Glaubenslehre* is a gift to the English-speaking theological world. Troeltsch (d. 1923) is a giant of Protestant thought who significantly shaped liberal religious understandings of the relationship between church and world. He also believed it was Protestantism's mission to challenge and displace what he viewed as the doleful mystifications of Catholicism.

THE AWAKENING CHURCH: 25 YEARS OF LITURGICAL RENEWAL. Edited by LAWRENCE J. MADDEN, S.J. *The Liturgical Press. 140 pp. $9.95 paper.*

Collected reflections of some of those chiefly responsible for liturgical changes since the Second Vatican Council. The recommendations tend to endorse more of the same, and there is slight consideration of alternative definitions of "renewal." But a useful documentation of attitudes in the liturgical-studies guild, Protestant and Catholic.

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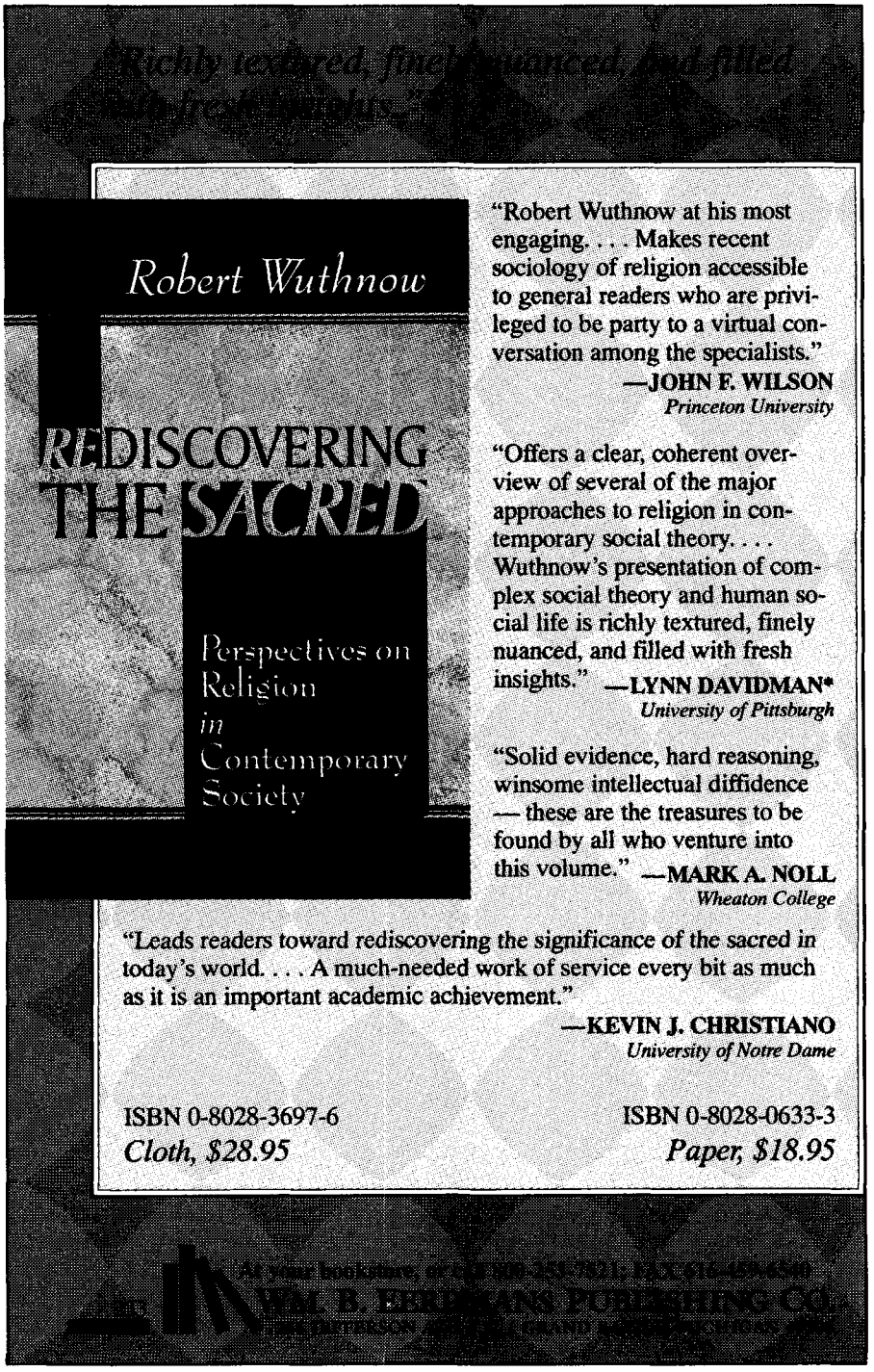
THE NEW MEDICINE: LIFE AND DEATH AFTER HIPPOCRATES. By NIGEL M. DE S. CAMERON. *Crossway. 187 pp. $11.95 paper.*

Directing himself to an evangelical audience, the author takes up questions such as physician-assisted suicide and examines what they mean for the future of medical ethics, indeed for the future of medicine. The cover carries this testimonial from Richard John Neuhaus: "*The New Medicine* is a persuasive manifesto that should be welcomed by those who have the courage to join a movement of reform aimed at restoring medicine to its healing mission." Neuhaus tells us he never gives testimonials that he does not mean.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THE THEOLOGY OF HENRI de LUBAC. By HANS URS VON BALTHASAR. *Ignatius Press. 127 pp. $9.95 paper.*

One theological giant, von Balthasar, offers a winsome appreciation of another, de Lubac. Over a very long career, de Lubac was hemmed in by hyper-orthodox "integrists" and, later, by progressivists (whose only church fathers, says von Balthasar, were named Marx, Freud, and Nietzsche). Von Balthasar persuasively argues that, through his more than forty books and numerous collaborative efforts, de Lubac left a legacy of intellectual nobility that deserves to be a lasting influence in Christian theology.

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The Professor of Christianity and Society at Princeton Theological Seminary has written an exceedingly

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literate and exceedingly curious book. The answer to the problems of sin, guilt, and self-sacrifice, he sometimes says quite clumsily, is "getting in touch with our true selves." At other times, he offers more graceful and persuasive insights into the ways that clergy and laity make one another miserable by claiming moral debts that can never be satisfactorily paid. The more theologically minded will wonder how Fenn's ponderings connect with classical Christian teachings about, for instance, atonement and forgiveness.

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Thomas Jefferson designed the writing desk on which he wrote the Declaration of Independence. "If then things acquire a superstitious value becaue of their connection with particular persons," Jefferson wrote, it is possible to envision the desk being "carried in the procession of our nation's birthday, as the relics of the saints are in those of the church." Patton pursues the idiosyncratic, although not implausible, hypothesis that the things that America has made are the "icons" that made America. A whimsical study of an aspect of culture undeservedly neglected.

THE CHIEF RABBI, THE POPE, AND THE HOLOCAUST. By ROBERT G. WEISBORD and WALLACE P. SILLANPOA. *Transaction Books. 231 pp. $34.95.*

In 1945, Israele Zolli, chief rabbi of Rome, converted to Catholicism. He took as his baptismal name Eugenio, in honor of Pius XII (Eugenio Pacelli) and all he did to aid Jews during the Holocaust. The authors of this volume insist that Zolli was wrong on all counts. Zolli is desecrated as an apostate and Pacelli is accused of indifference toward the plight of the Jews. A more sympathetic reading of the reasons why the title figures did what they did might have thrown more useful light on this intriguing story, but it remains an intriguing story nonetheless.

WHAT AMERICANS BELIEVE. By GEORGE BARNA. *Regal Books (Ventura, CA). 309 pp. $14.95 paper.*

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Richard John Neuhaus

The Public Square

A Continuing Survey of Religion and Public Life

Feminism and Feminism

We get these letters saying that we should not refer to "radical feminism" since all feminism is radical. Not quite. We refer such readers to "The Feminist Revelation" (December 1991), where we noted Christina Sommers' useful distinction between "liberal feminism" and "gender feminism." Liberal feminism is straightforward. It insists that women have a right to fair treatment and equal opportunity in trying to realize their aspirations. Gender feminism, on the other hand, claims that our entire social and cultural order is skewed by the "hegemony" of a patriarchal sex/gender system that is designed to oppress and exploit women. Gender feminism claims to be and is radical in its attempt to overthrow that putative system by consciousness raising and revolutionary action.

Admittedly, liberal feminism, too, is not unproblematic. What constitutes "fair treatment," for example, is not self-evident, and there is no firm consensus on how differences between the sexes impinge upon the definition of "equal opportunity." But liberal feminism assumes that these are matters for ongoing deliberation and, very importantly, that men and women can and must deliberate these questions together. Not so with gender feminism or radical feminism. There the dogma is that only women can address "the woman question" and, furthermore, only those women who have arrived at the necessary level of revolutionary consciousness. In the radical feminist catechism of "will to power," those women who choose, for instance, marriage and motherhood as their path toward realizing their aspirations are less than authentically women. They are what we might call *Unterweiber* who are possessed of a slave mentality that makes them collaborators with their male masters in opposing the struggle for feminist justice.

Among the chief ideological gauleiters of radical feminism is Catharine A. MacKinnon, who teaches law at the University of Michigan. MacKinnon was much in the news during the Clarence Thomas hearings, finding respectful listeners in the media for her charming argument that, in the case of sexual harassment and other offenses against women, justice requires that we suspend the rule that people (meaning male people) are innocent until proven guilty. In deciding whether Anita Hill was telling the truth, said MacKinnon, we must, in view of the distortions of our phallocentric system, assume that the more implausible her testimony the more we must give it credence. MacKinnon & Co. are no respecters of logic, logic itself being the product of the oppressive linearity of the hegemonic male system.

Prof. MacKinnon was more recently garnering attention for her part in what she declared to be a great feminist triumph. It seems the Canadian Supreme Court has decided that it is constitutionally all right to outlaw pornography that is harmful to women. Not all pornography, mind you, but pornography that is deemed to demean women. Now we are inclined to cheer the outlawing of pornography for almost any reason. It has always seemed to us absurd that in this country the free speech provision of the First Amendment, intended to protect political speech, is invoked to protect the booming commerce in obscenity. In addition, those more expert than we in these matters claim that the pleasures to be derived from pornography are enhanced by the furtiveness that results from its being on the shady side of the law.

MacKinnon, who helped write the brief for the Canadian court, wants it understood that her concern has nothing to do with morality. The great thing about the Canadian decision, she says, is that it is based upon justice for women rather than morality. "This makes Canada the first place in the world that says what is obscene is what harms women, not what offends our values. . . . In the United States the obscenity laws are all about not liking to see naked bodies, or homosexual activity, in public. Our laws don't consider the harm to women. But in Canada it will now be

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materials that subordinate, degrade, or dehumanize women that are obscene."

This intriguing line of thought, as it were, is reflected in the decision of the Canadian Supreme Court. The decision declares that it does not matter that women consent to participate in the production of materials that are viewed as degrading women. Such women are being degraded whether they know it or not. "Consent cannot save materials that otherwise contain degrading or dehumanizing scenes. Sometimes the very appearance of consent makes the depicted acts even more degrading or dehumanizing." This claim is closely related to the radical feminist assertion that "consensual rape" is the most brutal form of rape because not only has a woman's body been violated but her mind has been violated in a way that leads her to think that her intercourse with a man is actually voluntary and therefore not rape at all. As becomes evident, an understanding of gender feminism does not come easily to those who lack the requisite suppleness of brain. Many such people, especially married women, will probably never understand that every day millions of *Unterweiber* are under the sad delusion that they are making love with their husbands when, in fact, they are being raped.

In discussing pornography the Canadian court declares, "This type of material would apparently fail the community standards test not because it offends against morals, but because it is perceived by public opinion to be harmful to society, particularly to women." The public opinion is not the opinion of just any old public but of the elite public constituted by the commissars of gender feminism. Note that the court, also, wants it understood that it is not dealing in morality. The constitution forbid that the law should "impose a moral judgment" on anybody! In reality, of course, the court's ruling is unmistakably a moral judgment. The commandment is: Thou shalt not demean women.

The commandment, which is hardly new, strikes us as entirely laudable. It is a rule related to the rights and wrongs of human conduct, which is to say it is a moral rule. Why, then, do Prof. MacKinnon and the Canadian Supreme Court want to insist that the decision has nothing to do with morality? One explanation is that, in Canada as in the United States, there is this strange notion that law and politics must be "secular," and moral judgments have this awkward habit of getting entangled with religious teaching. Therefore lawyers and courts disguise substantive moral judgments as purely procedural and value-free principles. But in this case there is another reason why the court decision is presented as a legal principle divorced from moral judgment.

Moral judgments are debatable. They are subject to, indeed they require, arguments backed by reasons. It follows that anybody who has an argument pertinent to the moral judgment that is to be embodied in law must be admitted to the debate. That may seem reasonable enough, but its very reasonableness is, according to the ideology of gender feminism, a male construct that must be deconstructed. Law is ruled not by reason but by the will to power. Only those who are certified victims have the right to participate in changing the legal power structure that oppresses them. In addition, only victims, meaning those who understand the nature of their oppression, can certify victims. To be sure, the *Unterweiber* are victims but, since they do not understand the ways in which they are victimized, they are passive rather than participatory victims. Worse, they are in collusion, albeit unconsciously, with their victimizers.

Liberal feminism is compatible with an understanding of democratic politics as the deliberation of the inescapably moral question, How ought we to order our life together? Gender feminism is relentless civil war against the democratic polity itself. Liberal feminism is advanced by rational argument. Gender feminism, rejecting rationality as an instrument of the male hegemony, is driven by the will to power. Liberal feminism is inclusive of the diverse aspirations of all women. Gender feminism is defined by radicalized gnostic elites who exclude the *Unterweiber* who, it is claimed, do not understand the nature of their oppression. These are among the reasons why, despite the misgivings of some readers, we will continue to distinguish between feminisms.

FT

SHAME, SHAME, SHAME

Shame is "in"—and in a very big way. Robert Karen takes up almost half an issue of *The Atlantic* discussing the dozens and dozens of books proclaiming that shame and—contra Freud—not guilt is the root of human miseries. Popular artists of the emotions have created a bull market in shame therapy, John Bradshaw and his affecting patter about the "inner child" being an outstanding example. (See our earlier comment on Bradshaw, "Singing the Song of Myself," March 1991.) Twelve-step groups, such as Alcoholics Anonymous and its many imitators, are dealing, we are told, with "secondary shame," the shame of being ashamed that one is an addict of one sort or

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another. As Karen makes clear, psychiatrists, who have a shrinking share of the human unhappiness market, tend to be dismissive of these popular shame therapies, insisting that professionally certified psychotherapy is required to dig to the bottom of the matter.

Mr. Karen's survey of the new fashionability of shame is not without interest. As in most discussions of this sort, however, he constantly walks the verge of psychobabble, and frequently steps over. Elaborate category distinctions and clinical jargon add little to the observation that most people, in various ways and in various degrees in various situations, feel unworthy, inferior, awkward, unattractive, clumsy, out of place, embarrassed, undeserving, inadequate, unqualified, and generally not up to what they think they ought to be. Finally, after forty pages of his tour of contemporary psychological thought, in the very last paragraph, Mr. Karen gets to this:

"In religious communities [another] category of shame sometimes develops, a sort of *universal shame* that is felt to be inherent in the human condition. In medieval Christendom the belief that all people were sinners, that all were unworthy, used this sense of universal defect to bind the community, to maintain a spiritual focus, and, perhaps incidentally, to drain off some shame that might otherwise have become individual and narcissistic. From our distant perspective in a diametrically different world, we can easily imagine how comforting it might have been to know that one was not alone in one's flaws and vulnerabilities, to feel assured of one's place despite everything, to be confident that all were equal in God's eyes."

From his "distant perspective in a diametrically different world," Mr. Karen is in fact looking at contemporary America. Perhaps the author is not so alienated from the society of which he is part as he suggests. Perhaps he writes as he does because he assumes that the readership of *The Atlantic* is so alienated. In any event, the irrefutable social fact is that the overwhelming majority of Americans say they are Christians and most go to church more or less regularly. And there, more or less regularly, the preaching and prayer centers in sin and grace, our shame (inseparable from guilt) and God's mercy. The message is not so much that we are all "equal" in God's eyes as that, through Christ, we are all loved, accepted, forgiven, and of eternal worth.

Survey research from the Middle Ages is, admittedly, a bit sketchy, but some scholars have suggested that it is more than probable that the 1.7 billion Christians in the world today have a better grasp of Christian doctrine and are more actively engaged in Christian worship than was the case in "medieval Christendom." Whether or not that is the case, the understanding of shame and its remedy that Mr. Karen sticks on to the end of his article as an item of antiquarian interest is, in fact, the dominant and pervasive understanding in the society that he, with so many others, views from a distance. Mr. Karen is in no way singular in this respect. It is a shameful characteristic of the intellectual classes of our time.

FT

THE "CLAUSES" IN COLLISION

As we have argued in these pages and elsewhere, there is but one religion clause in the First Amendment. Most of our legal problems with church-state questions over the last half century are the result of the pernicious notion that there are two clauses—a no-establishment clause and a free exercise clause—that must somehow be "balanced." The first provision of the First Amendment is, "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof." The stipulation of the one clause is that "Congress shall make no law." The rest of the statement consists of participial modifiers indicating what kind of law Congress shall not make. It is a point of grammar with large ramifications. The entire purpose of the religion clause is to protect the free exercise of religion. No establishment of religion is required precisely for such free exercise of religion.

The ramifications of the observation that there is but one religion clause are spelled out in an admirable scholarly article in the *Michigan Law Review*. In "Structural Free Exercise," Mary Ann Glendon and Raul Yanes note that the Supreme Court took an ominous turn with the *Everson* decision of 1947. Using the language of two clauses, the Court, Glendon and Yanes write, adopted an approach "in which the concept of establishment was broadened, treated as separate from, and actually placed on a collision course with the value it was meant to serve—the free exercise of religion." They continue: "Once the Court embarked without discussion on that path, it was almost impossible for it to avoid construing free exercise narrowly to prevent, so far as possible, accommodations for religious belief and action that might appear, under a broad concept of establishment, to constitute impermissible assistance to religion. The end result was an inversion of the First Amendment's religion

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language. A single coherent provision that on its face seemed to protect freedom of religion by forbidding Congress to establish religion or otherwise burden free exercise became two 'clauses' with free exercise regularly subordinated to a broad notion of nonestablishment. As time went on, forbidden governmental support of religion became the cardinal value served by the Court's decisions, and the free exercise of religion took a back seat. Language that had been placed at the beginning of the Bill of Rights to protect religion from government had been turned around to protect government from religion. This subjugation of religious freedom to separationism continued even as the Warren court moved more broadly to increase the scope of freedoms protected by the Bill of Rights."

Glendon and Yanes are cautiously hopeful that the current Court may clarify the awful muddle of religion clause jurisprudence. However, as Glendon has written in these pages (see "Religion & the Court: A New Beginning?" March 1992), the signs are very mixed. The *Smith* decision of 1991—popularly known as the peyote case—seemed almost to obliterate the constitutional status of free exercise. As readers know, this journal has been the forum for very lively debates about what might be done to remedy that decision. The pros and cons of the Religious Freedom Restoration Act aside, a thorough reform of religion clause law depends upon a return to what Glendon and Yates aptly term "structural free exercise" in which the elementary fact is again recognized that the First Amendment is intended to protect, not restrict, the free exercise of religion.

FT

THE NECESSARY OPPOSITION

This writer recalls with pleasure a leisurely afternoon spent in conversation with Julius K. Nyerere in the very elegant mansion built for the former British governor in Dar es Salaam. It was 1971 and Nyerere was then president of Tanzania. A devout Catholic, Nyerere is a man of self-effacing manner and persuasive powers. He was, and is, in many ways the spiritual leader of Tanzania, and not only of Tanzania. Jimmy Carter called him "the conscience of Africa," and many in the West have agreed. He had succeeded in turning his country toward a course that was described as authentic African socialism.

That afternoon he held forth at length on the West's unwillingness to see that socialism could also be entirely democratic. We are, he said, obsessed with "the Westminster model" of democracy, in which it is assumed that there must be several parties and a loyal opposition to keep the government in check. Africans, by contrast, are "naturally socialist," he explained, understanding the nation to be a family. "In a family," he said, "free discussion happens naturally. You don't have to designate or pay somebody to say No. Everybody is free to say No whenever they wish." On that most charming and civilized afternoon, this fetching argument seemed almost plausible.

The one-party state created by Nyerere was in fact a dictatorship, albeit a dictatorship of benign intent. And it was also in consequence a good deal more benign than most socialisms. But, predictably, within fairly short order Tanzania went from a position of relative prosperity to being an international basket case. At least until the early 1980s, international lending agencies were prepared to stretch the rules in Tanzania's favor, largely because of the "moral stature" of its teacher-president. But at last the piper had to be paid, and even the most fervent proponents of Nyerere's mix of charism and ideology recognized that deepening economic miseries could not be tolerated forever.

This February, Nyerere told a special congress of the governing Revolutionary Party, "Changes have become imperative, and inevitably we must admit our previous mistakes and build afresh." The time for socialism had passed, and he approved of the country's being opened to free markets, as well as the creation of opposition parties. The political and economic reality factor that has so quickly established itself around the world is belatedly recognized even in Dar es Salaam. To be sure, while affirming the need for markets, capital investment from abroad, and a multiparty polity, Nyerere solemnly warned his people against the danger of electing "capitalists."

The changes in Tanzania are no doubt to be welcomed, and yet there is this dreary line pressed by those who acknowledge that Communism (for which they frequently had some kind words) is dead, that socialism is thrown into grave question, and that market economies are the way out of poverty, but who nonetheless persist in treating capitalism as a dirty word. Perhaps it is too much to expect people to embrace a term that their political religion required them to vilify all their lives. In any event, the greater lesson to be drawn from the Tanzanian experience is that even the most benign of philospher kings cannot be trusted with power that is beyond the reach of institutionalized checks and balances. The Westminster model and the American model do not exhaust the possibilities of democratic governance, but there can be no democracy

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without a polity structured on the premise of the pervasiveness of original sin. The "idealism" of the conscience of Africa, as of other putative "constituencies of conscience," is morally culpable for forgetting that elementary fact of life—a fact of life that Julius Nyerere, at least, should have known from his catechism.

FT

PEDDLING REALITIES

As important as it is to accent the pervasiveness and strength of religion in American culture, it is also important to critique the fatuities and distortions evident in popular religion. Both must be done simultaneously. To say that America is, all in all, a God-fearing nation whose public life is skewed by ungodly elites is to capture a part of the truth. To say that ours is a pagan or sub-pagan society with a thin veneer of religiosity is to capture another important part of the truth. It is more than an indulgence in irony to observe that America is, at the same time, the most religious and the most secular society in the world. Both the celebrants and detractors of American religion are in perpetual danger of believing their part of the truth to be the whole of the matter. Uncritical celebration is a pathology of religion that should not be celebrated, while uncompromising criticism can reflect a religious vitality that is to be celebrated.

Walter Truett Anderson undoubtedly qualifies as a critic. His book, *Reality Isn't What It Used to Be* (HarperCollins), is about more than religion, but what it says on that score deserves attention:

"Most of us now are not so much believers as possessors of beliefs. Conversion comes easy and often. The seeker after religious faith tries on not one religion, but any number of them. . . . And a dazzling tool kit of contemporary methods . . . is employed to get people to drop this belief, pick up that one, adjust the fit of another. We all become consumers of reality (although, as in other forms of consumption, not with equal buying power), and greater numbers of us also become creators and merchandisers of reality. As the faith in old absolutes wanes, the season opens on the construction of new realities for those who do not care to be seen in the standard models. In earlier times, the invention of cultural forms was shrouded in mystery; now it becomes, for better or for worse, democratized. Individuals feel free to create new identities for themselves, and entrepreneurs of reality dabble gaily in the creation of new history, new science, new religion, new politics."

FT

FROM A PRELATE IN THE CHURCH OF CHOICE

The liberal Catholic magazine *Commonweal* has in recent years been disturbingly prone to sustained spells of common sense. It was therefore strangely reassuring when it recently did a long puff piece in the form of an interview with Anna Quindlen, the *New York Times* columnist whom it is quite impossible to parody. The piece is titled "Quindlen: From the 60s to the 90s," although somewhat more apt would be "In the 90s from the 60s." The interview is conducted by Ms. Quindlen, with a priest intern at *Commonweal* asking her questions, and they are definitely her questions. As is the way with puffery, there were puffballs such as this:

CW: "Do you think there is Catholic bashing in the press?" **Quindlen:** "No." **CW:** "What do you see is happening?" **Quindlen:** "If the cardinal of New York is the sort of self-effacing, low-profile type that Cardinal Terrence Cooke was, you don't find that much written in the press about the Catholic church. If he's the kind of guy that Cardinal O'Connor is—I mean, the idea that Cardinal O'Connor could take to the pulpit and say some of the things that he says and not think there's going to be public reportage of those things is preposterous."

In other words, if Cardinal O'Connor publicly expresses views with which Ms. Quindlen disagrees, he should expect to get bashed. The very pro-choice Ms. Quindlen complains that the church hierarchy has closed its eyes to "the grey area" in the abortion debate. On the status of the fetus, she opines, "Isn't it possible that this is neither nonlife nor life?" Very nuanced, as they say. She simply knows that there is a "church of the hierarchy" and a "church of the people," and it seems that she is high in the hierarchy of the latter.

CW: "A recent issue of *Spy* magazine called you an avatar of common sense and Cardinal O'Connor a fake avatar of common sense. Is it just their whimsy or do you think that's how you're perceived?" **Quindlen:** "I think that's how I am perceived." **CW:** "That's a danger today that the hierarchy is not seen as authoritative in a wider

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sense. And you're seen as authoritative." **Quindlen:** "What do you make of that?" **CW:** "Well, people probably find that you resonate with their lives more than the hierarchy does." **Quindlen:** "Right."

Or right on, as they used to say. This is written on Friday, a day when charity threatens to get the better of us, and we thought it possible that the editors of *Commonweal*, knowing that it is not possible to parody Anna Quindlen, decided to let her do it to herself. But this very day the subsequent issue of *Commonweal* arrives, and it makes clear that such charity should be kept in check.

To his credit, associate editor Paul Baumann strongly and persuasively dissents from the puffing of Anna Quindlen. Her views, he writes, "seem an idiosyncratic Catholicism, to say the least." Quindlen's "church of choice" and her enthusiasm for shedding the "superstitions" of the past pose major problems for Baumann. "Doubtless we have shed the piety of the past, but whether that is an emanicipation or whether we have merely exchanged custom for the empty iconoclasm of popular culture is the nagging question. Religious sensibilities inhere in specific social contexts. That's another way of saying you can't have a Catholic faith without a Catholic culture. If you invest authenticity and ultimate authority in the values of secularism, you get secularism, not an enlightened Catholicism. . . . Given the kind of qualms Quindlen has about old Catholic forms and rituals, how can she accommodate the extravagant symbolism that locates God in a particular piece of bread and cup of wine? Why keep that old—and most 'obligatory'—form when discarding the rest?" Baumann concludes: "An unfashionable belief in the efficacy of symbolic action remains Roman Catholicism's distinctive—and most lovable—feature. As *Lumen Gentium* [Vatican II's constitution on the Church] succinctly states, the church is 'the kingdom of Christ now present in mystery.' Quindlen seems embarrassed by such claims to truth or authority, and takes refuge in a 'personal' relationship with Jesus while enthroning the superiority of good works over symbolic actions."

The presence of this Baumann fellow among the editors, even in dissent, may help explain the spasms of common sense we mentioned at the start.

FT

GOODBYE TO THE UNIVERSITY

British historian and journalist Paul Johnson has been giving some thought to the state of universities. Writing in *The Spectator* (London) he offers a few cautiously nuanced conclusions: "Universities are the most overrated institutions of our age. Of all the calamities which have befallen the 20th century, apart from the two world wars, the expansion of higher education in the 1950s and 1960s was the most enduring. It is a myth that universities are nurseries of reason. They are hothouses for every kind of extremism, irrationality, intolerance, and prejudice, where intellectual and social snobbery is almost purposefully instilled and where dons attempt to pass on to their students their own sins of pride. The wonder is that so many people emerge from these dens still employable, though a significant minority, as we have learned to our cost, go forth well equipped for a lifetime of public mischief-making.

"I remember . . . when the new University of the Midlands was designated to contribute to the invigoration of our car industry; instead it provided the kiss of death, by churning out Trot shop-stewards a good deal more destructive than their supposedly uneducated working-class predecessors. It is no accident that Ontario, Canada's richest province, is now being wrecked by a socialist government led by a fanatical 1960s' Rhodes Scholar. The new form of totalitarianism, Political Correctness, is entirely a university invention, and the virulent outbreak of black anti-Semitism, which has Brooklyn in violent uproar, was bred on campus in the fraudulent 'Afro-American Studies' departments. At the very moment when these evils—and others—are spreading rapidly to Britain, a Conservative government plans to expose yet more of our children to them, at public expense."

With a college education at a "quality" school in America now costing in excess of $100,000, our colleague Midge Decter suggests that we will soon reach the point at which numerous young people and their parents will ask, Why? Her further thought is that, if five or six major corporations would announce that they are no longer going to require a college degree, that they are going to train their own people, and that they will make provision for workers to learn Shakespeare and other good things in night school (which is more than they are learning in university now), the current system of higher education would collapse almost overnight. It is an intriguing idea, although we worry about some of our best friends who might suddenly be out of work. On the other

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hand, fine scholars that they are, they could probably attract students who would pay for their teaching. Which is how, come to think of it, universities got started in the first place.

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ORTHODOX HEALINGS

A headline in the Ecumenical Press Service caught our eye—"Eastern Orthodox Leaders to Meet: Peace, Love, Hope on Agenda." Now that's what we call getting back to basics. Actually, it is a very important meeting called by Ecumenical Patriarch Bartholomeos in Istanbul, and it was attended by all autocephalous and autonomous Orthodox churches. The presence of all fourteen jurisdictions is unprecedented.

Peace, love, and hope are very much needed as some Orthodox churches in Central and Eastern Europe are highly agitated about what they deem to be missionary incursions on their turf by Roman Catholics and by evangelical and pentecostal Protestants. There are also a good many ecumenical bruises as a consequence of Orthodox leaders boycotting John Paul II's synod of European bishops that met at the end of last year. But mainly the Orthodox must attend to healing within their own most fissiparous ranks. For instance, the Russian Orthodox Church Outside Russia, which was during the Communist years exiled in the United States, has now returned to Russia to establish rival dioceses to those of the Moscow Patriarchate, arguing that the Russian church leaders were irretrievably compromised by their subservience to the Communist regime.

Similarly, in Greece and elsewhere, there are long-standing divisions between the "Old Calendarists" (or "Calendrists") and the majority of Orthodox who adopted the Gregorian calendar in the 1920s. Perhaps not surprisingly, the Old Calendarists have themselves split into three or four rival groups. In addition, there is sharp disagreement among Orthodox leaders about how or if they should maintain ties to the World Council of Churches (WCC). While the WCC is charged with having played footsy with the Communist oppressors, many Orthodox leaders understandably feel that they are in no moral position to press the charge too hard. These and myriad other problems considered, the headline might better have read, "Peace, Love, Hope *Is* Agenda."

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HAVEL'S WISDOM, AND A CAVEAT

The modern era, acording to Vaclav Havel, the President of Czechoslovakia, was marked by the proud assumption that man is "the pinnacle of everything that exists," and therefore all things could be brought under the control of human knowledge and technique. With the end of Communism, he suggests, the modern era came to its definitive end. "Communism was the perverse extreme of this trend. It was an attempt, on the basis of a few propositions masquerading as the only scientific truth, to organize all of life according to a single model, and to subject it to central planning and control regardless of whether or not that was what life wanted."

Like almost all of those who were involved in these great events in Central and Eastern Europe, and unlike almost all Western commentators on those events, Havel insists that Communism was brought down by a revolution of the spirit (and maybe the Spirit). "Communism was not defeated by military force, but by life, by the human spirit, by conscience, by the resistance of Being and man to manipulation. It was defeated by a revolt of color, authenticity, history in all its variety and human individuality against imprisonment within a uniform ideology." The lesson to be learned is that human beings are not statistics or ciphers, that the world cannot be made better but will only inevitably be made worse by "universal systemic solutions" that ignore the particularities of life.

"Soul, individual spirituality, first-hand personal insight into things; the courage to be himself and go the way his conscience points, humility in the face of the mysterious order of Being, confidence in its natural direction, and, above all, trust in his own subjectivity as his principal link with the subjectivity of the world—these are the qualities that politicians of the future should cultivate." Havel's compelling insights are marred only by the implausible suggestion that, in our search for a better approach to personal and social life, "politicians should lead the way." Havel is an unusual figure, a poet president in the tradition of philosopher kings. But also in his case, we do well to cultivate a rigorous skepticism toward political mystagogy.

One of the great delusions of the modern era was the politicizing of the spiritual and the spiritualizing of the political, a delusion that had tragic consequences not least in the evil empire now happily past. Havel's language is that also of John Paul II. The latter invokes "the subjectivity of society," however, in order to set sharp limits upon the pretensions of the state and of the political as such (see his 1991 encyclical,

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Centesimus Annus). While Havel freely acknowledges the indispensable role of Christianity in the "velvet revolution" that overthrew Communism in Czechoslovakia, he has been publicly reticent about whether he is a Christian. Like many who have a profound spiritual vision but no communal tradition by which that vision is sustained and expressed, Havel is inclined to make politics his church. Others make a church of art or science. It is perfectly understandable that those who have no church tend to create one out of whatever insights and passions they do possess. It is also exceedingly dangerous, and, as the modern era teaches us, never so dangerous as when politics is turned into a church and politicians into high priests of the human yearning for a life more in accord with "the mysterious order of Being."

FT

WHILE WE'RE AT IT

■ Appearing in the University of Chicago's *The Journal of Religion* is an instructive article by Edward T. Oakes, S.J., "Apologetics and the Pathos of Narrative Theology." (See Professor Oakes' essay on Wittgenstein elsewhere in this issue.) Narrative theology has been very big in recent years. Very big. And it is very attractive, offering ways of sustaining communal traditions against the corrosions of modernity. The problem, says Father Oakes, is that narrative theology tends to be preoccupied with the question of "meaning" at the expense of the question of "truth." Individuals and communities may find cultural-linguistic-religious traditions ever so meaningful, but that is not very helpful if they happen not to be true. Apologetics is, inescapably, about truth. Oakes concludes: "It is, I believe, the pathos of much of narrative theology that it too easily tries to finesse these issues by a retreat into a mere act of recital, meant for the sustenance and benefit of the believing community, rather than going outward and facing the hard issues of preaching to a world that can raise objections to the Christian message almost at every point. But underneath those ready objections of the nonbeliever is another pathos too, as [David] Tracy has seen: the deeper fear that the Christian message may simply seem too good to be true. Perhaps indeed the pathos of narrative theology reflects that larger point. For insofar as it represents a retreat to the stories of isolated communities, it seems to share in that same fear, conceding by its inaction, if not in its words, that the wider world has actually not been redeemed after all. If in fact these two fears are linked—and how can believers not share in the doubts and fears of their contemporaries?—we might have there the beginnings of a real dialogue, for as narrative theology continues to recount to itself the stories of God's deliverance of his people, it will come to realize how far-reaching those acts of deliverance are."

■ Admittedly, there is almost nothing that can go wrong with the world that has not gone wrong with New York City. Nonetheless, some of us persist in believing that there is truth in the story that over the gates of the heavenly city there is this sign, "From the Wonderful People Who Brought You New York City: The New Jerusalem!" For those who did not like New York City in this life, there will be an alternative destination. Whether or not there is anything to that story, uncultured despisers of New York should know that Gallup has applied his national criteria to our town and discovered that, by all the usual measures of religiousness, New Yorkers are about as religious as the rest of the country. Except for Manhattan. Forty-one percent of Manhattanites say that religion is "very important" in their lives. The Bronx (yes, the Bronx of "Fort Apache" fame) rates highest, with 66 percent saying that religion is very important in their lives. No atheists in foxholes, it seems. (That compares with 55 percent nationally who say religion is very important.) According to a massive survey done by the City University of New York, 43 percent of New Yorkers are Roman Catholic, 16 percent are Jewish, and the rest are sundry Protestants, with very small minorities of Muslims, Hindus, and Buddhists, and 6 percent saying they have no religious affiliation. Only 1 percent claims to be Eastern Orthodox, which strikes us as too small. Also, the Catholic figure is considerably higher than in the statistics kept by the Archdiocese and the Diocese of Brooklyn. We have no idea what all this means, but we thought some readers might be interested in data on the religious situation that prevails in this boot camp for the New Jerusalem.

■ "Isn't that the journal you used to edit?" asks a puzzled reader who received a magazine called *This World: A Journal of Religion and Public Life*. It seems a very long time ago, but the answer is yes. In 1989 we had a rather raucous parting of the ways with an Illinois-based institute and we then established the entirely independent Institute on Religion and Public Life which, inter alia, publishes FIRST THINGS. The Illinois group claimed title to the quarterly, *This World*, which ceased publication until its reappearance, under new sponsorship, as an annual a few months ago. The accompanying announcement says, "The

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appearance of this issue marks the resumption of publication of one of America's premiere magazines of religious, political, and social commentary." We are immodest enough to think that that is an accurate description of what *This World* used to be. There are twenty-four names listed as being editorially connected with the reappearance. We have never heard of most of them, but were interested to note the presence of Andrew Greeley. If that is Father Andrew M. Greeley the sociological fabulist, his many fans might be surprised to see him in the company of paleoconservatives slogging through the fever swamps of the distant right. In any event, we wish this new venture well. Religion and public life needs all the attention it can get. And there is no reason why next year's issue might not contain material of greater interest than this one. We do hope, however, that nobody will confuse what now represents itself as *This World* with the *This World* that used to be. The disinterment of the name notwithstanding, what used to be *This World* is now FIRST THINGS.

■ "Credo in un mondo . . ." Sound like the beginning of a religious creed? It is. "Swatch" watches is repeating this full-page ad in the *New York Times*. The creed is written in many different languages: "I believe in a world where we don't just dream about the future but make it happen." With Marx, Swatch proclaims that the time has come not just to understand the world but to change it. The advertisements are in support of "Earth Summit '92," to be held this summer in Rio de Janeiro. They are further evidence of the post-Communist rechanneling of the utopian impulse into environmentalism. And the nice thing about the object of this credal devotion is that it/he/she can be appeased by putting out a mere $72.50 for an environmentally correct Swatch watch. In the context of another religion, that's called cheap grace.

■ Among the most infamous of Nazi war criminals was Dr. Josef Mengele. At Auschwitz he was known as the "Angel of Death" for his lethal "scientific" experiments on prisoners. After the war, the Angel of Death escaped to Argentina where authorities have now opened the files on Nazis who found refuge there. It turns out that Mengele made his living in Argentine as an abortionist. It figures.

■ He is often called the dean of evangelical theology, and with good reason. In 1947, Carl F. H. Henry rocked the conservative Protestant world with his book *The Uneasy Conscience of Modern Fundamentalism*. He called upon fundamentalists (soon to be called neo-evangelicals and, later, simply evangelicals) to abandon their defensive and fearful posture in order to engage the world, including its political and social dimensions, by a clear and informed Christian assertiveness. In 1955 he became founding editor of *Christianity Today*, which was under his leadership a magazine of considerable intellectual substance. Recently Henry, now almost eighty, addressed the Christian Life Commission of the Southern Baptist Convention. His subject was religious freedom and why that is likely to be among the most pressing questions for the churches and for the world in the decades ahead. Here is some of what he said: "Evangelical Christianity, while retaining evangelistic momentum, is nonetheless yielding religious-cultural initiative to American Catholicism, especially in influential political, educational, and media sectors. The consequences of such evangelical retirement are two-fold. On the one hand there is increasing talk of Catholic-Evangelical co-belligerency in America to confront the rising tide of naturalism, and to do so only or largely on the basis of such broad covering motifs as natural law, common good, and distributive justice. On the other hand, the papal characterizations of evangelical gains in Latin America as deplorable sectarian inroads can only dampen prospects for suitable Catholic-Evangelical cooperation. Meanwhile more and more observers of the new situation in Eastern Europe are apprehensive over possible ecclesiastical strife between the Eastern Orthodox, Catholic, Protestant ecumenist, evangelical, and other groups. Were such contention to occur, it would seriously challenge the thesis that religious liberty is the best guarantee of a stable society."

■ "The problem with evangelicals," a prominent evangelical leader tells us, "is that whenever they attain positions of power and respectability they are so impressed by where they arrived that they forget why they were going there in the first place." The generalization is no doubt overly broad, for we know evangelicals influentially positioned in the academy, in government, and in the professions who seem to remember quite well the vocational vision that impelled them to such positions. And yet, there is undeniable truth in our friend's generalization. It was brought to mind by a review of C. Everett Koop's memoirs in *Christianity Today*. Our readers will recall Dr. Bernard Nathanson's pointed critique of the former Surgeon General's *apologia* (April). The *CT* reviewer, by way of contrast, thought it a mark of greatness that Koop could, for example, establish such an "affable" working relationship with such as Senator Ted Kennedy. The reviewer continues: "At first it seems contradictory that Koop, a man of such strong will and stubborn integrity, should be a master of negotiation and compromise. Upon further

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inspection, however, it becomes clear that it was the strength of Koop's convictions, founded in love, that enabled him to work so well with people whose convictions differed from his own. Perhaps that is the most important lesson we can take from this remarkable life story." Never mind that, as Nathanson notes, while in office Koop undermined the pro-life movement at critical points, courted the homosexualist lobby, and contributed to a good deal of the misleading hype about AIDS. As they say within the Washington beltway, he "grew" while in office. While we would in no way question Dr. Koop's commitment as a Christian, the fact that he got along so well with those of opposing convictions is by no means "the most important lesson" to be learned by evangelicals who want to make a difference.

■ *The Catholic Church and the Politics of Abortion: A View from the States* (Westview) is a timely contribution to better understanding abortion politics after the 1989 *Webster* decision that returned segments of the abortion decision to the states. Although the editors, Timothy A. Byrnes and Mary C. Segers, along with most of the contributors tend to be pro-choice and critical of the Catholic Church's role in abortion politics, the tone of this informative book is generally dispassionate. In the last decade, commentators have frequently pitted John Cardinal O'Connor of New York against Joseph Cardinal Bernardin of Chicago, suggesting that the latter was "softer" on abortion, including it among a host of moral and political imperatives in "the seamless garment." Whatever may have been the case in the past, editor Byrnes contends that there is today no doubt about the solidarity of the American bishops when it comes to the priority of the abortion question. "I want to stress that I have no doubt this agreement is a longstanding one. I am not arguing that the bishops' consensus on abortion or on the binding nature of the church's teaching on that subject was created by the court's decision in *Webster v. Reproductive Health Services, Inc.* What I am arguing is that the court's decision has created a political context in which that consensus has become clearer to Catholic citizens, Catholic politicians, and anyone else who is interested in the bishops' participation in the political process. Bernardin's consistent ethic, or seamless garment, has always included unwavering opposition to abortion. But in the past, that seamless garment was used as a kind of protective cloak by Catholic politicians who tried to compensate for their support of abortion rights by stressing their commitment to church teaching on other life issues. *Webster* has stripped this cloak away by confronting these politicians with concrete political choice concerning abortion and by highlighting a firm and public consensus among the Catholic hierarchy that 'no Catholic can responsibly take a 'pro-choice' stand when the 'choice' in question involves the taking of innocent human life.' "

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■ In the capitals of twenty-eight states, Catholic bishops have established lobbying offices. The people who publish *Initiatives* are not complaining about that, but they are unhappy when these lobbyists purport to represent all the Catholics of a given state. That happened in Illinois when the Catholic lobby supported a health care "surrogate decision" act that was opposed by many pro-life forces. "By what authority does [the bishops' lobbyist] claim that he represents the views of three million Illinois Catholics? *Initiatives* can find no warrant in law (civil, canon, divine, or natural) that would entitle a bishop to speak for other Catholic citizens before a legislative body. This is not a minor matter. If a bishop or his representative purports to state the opinion of Catholic citizens on an important legislative issue—with or without their permission—is not the role of the Catholic citizen to become active in politics depreciated?" A good question, that. (*Initiatives* is published by the National Center for the Laity, 1 East Superior St., Chicago IL 60611.)

■ While a heartening number of American Jewish thinkers are reevaluating the necessary role of religion in our public life, the "orthodox" line among the non-Orthodox is still very much in place. Robert K. Lifton, president of the American Jewish Congress, is one among many who set themselves against the reevaluation represented by, for instance, the symposium, "Judaism and American Public Life" (March 1991), now greatly expanded into a new book edited by Rabbi David G. Dalin, *American Jews and the Separationist Faith: The New Debate on Religion in Public Life* (to be published in October by the Ethics and Public Policy Center, $19.95 cloth). Writing in *Congress Monthly,* Lifton exhorts Jews to be as vigorous in supporting strict separationism between church and state as they are in supporting Israel. In fact, he says the first task is more important. "I deem this safeguarding of our free institutions as American Jewry's prime political directive." "At the heart of the American system of rights is the First Amendment prohibiting the establishment of religion. . . . There are those in our country today who would seek to destroy the barriers separating church and state. . . . The American Jewish community must commit all of

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its resources, financial and political, to combat those who would change or undermine the historic American system." The American Jewish Congress, with the formidable legal energy of Leo Pfeffer, was for decades successful in advancing the proposition that the separation of church and state requires the separation of religion from public life. In the courts, among the general public, and not least among American Jews, that proposition is now being discredited. There is scant chance that American Jewry "will commit all of its resources" or even a substantial part thereof to coming to the rescue of a failed doctrine. At the same time, outbursts such as Lifton's are a salutary reminder that the doctrine will not go gentle into that good night.

■ A sign espied a while back at a pro-choice demonstration against a pro-life demonstration. The woman was about thirty. The sign was: "I would die to defend my Mom's right to an abortion." It warrants a moment's reflection.

■ A lead editorial in the *Boston Globe* is titled "Buchanan's Venom" and goes on, and on, about how Patrick Buchanan is joined with David Duke in poisoning our political culture. Beside it is a big cartoon depicting millions of starving children presided over by a smiling Pope John Paul II who holds a cross draped with a banner bearing the legend "Procreation." In the editorial view of the *Boston Globe*, it seems, there is bad venom and good venom.

Sources: On Canadian Supreme Court and Catharine MacKinnon, *New York Times*, February 28, 1992. Robert Karen on shame in *The Atlantic*, February 1992. Glendon and Yanes on the religion clauses of the First Amendment, *Michigan Law Review*, December 1991. Report on Tanzania, *New York Times*, February 19, 1992. Anna Quindlen interview in *Commonweal*, February 14, 1992; Paul Baumann analysis of Quindlen remarks in *Commonweal*, February 28, 1992. On Orthodox churches, Ecumencial Press Service, February 21-29, 1992. Vaclav Havel quoted in *New York Times*, March 1, 1992. Edward Oakes on narrative and truth in *Journal of Religion* 72, no. 1 (January 1992). Data on religion in New York City reported in *Newsday*, December 24, 1991. On Josef Mengele, *New York Times*, February 11, 1992. Review of Koop autobiography, *Christianity Today*, March 9, 1992. On lobbying by Catholic bishops, *Initiatives*, February 1992. Robert K. Lifton on Jews and strict separationism, *Congress Monthly*, January 1992. Woman endorsing her mother's right to an abortion, *New York Times*, September 30, 1991. *Boston Globe* editorial on "venom," March 6, 1992.

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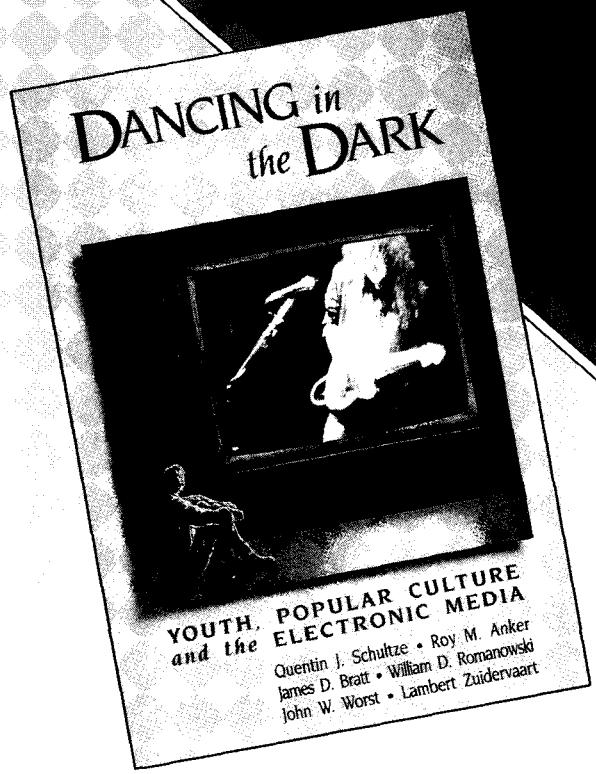
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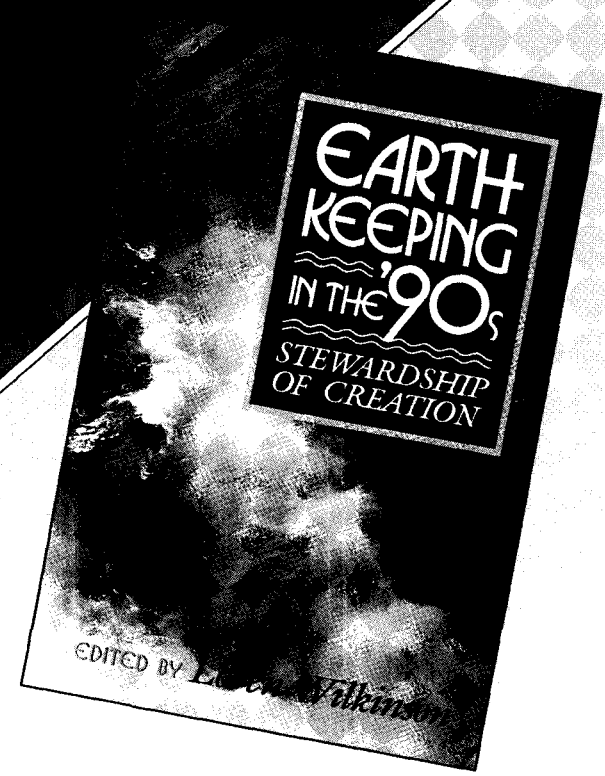

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